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MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1988

VOLUME 122-A





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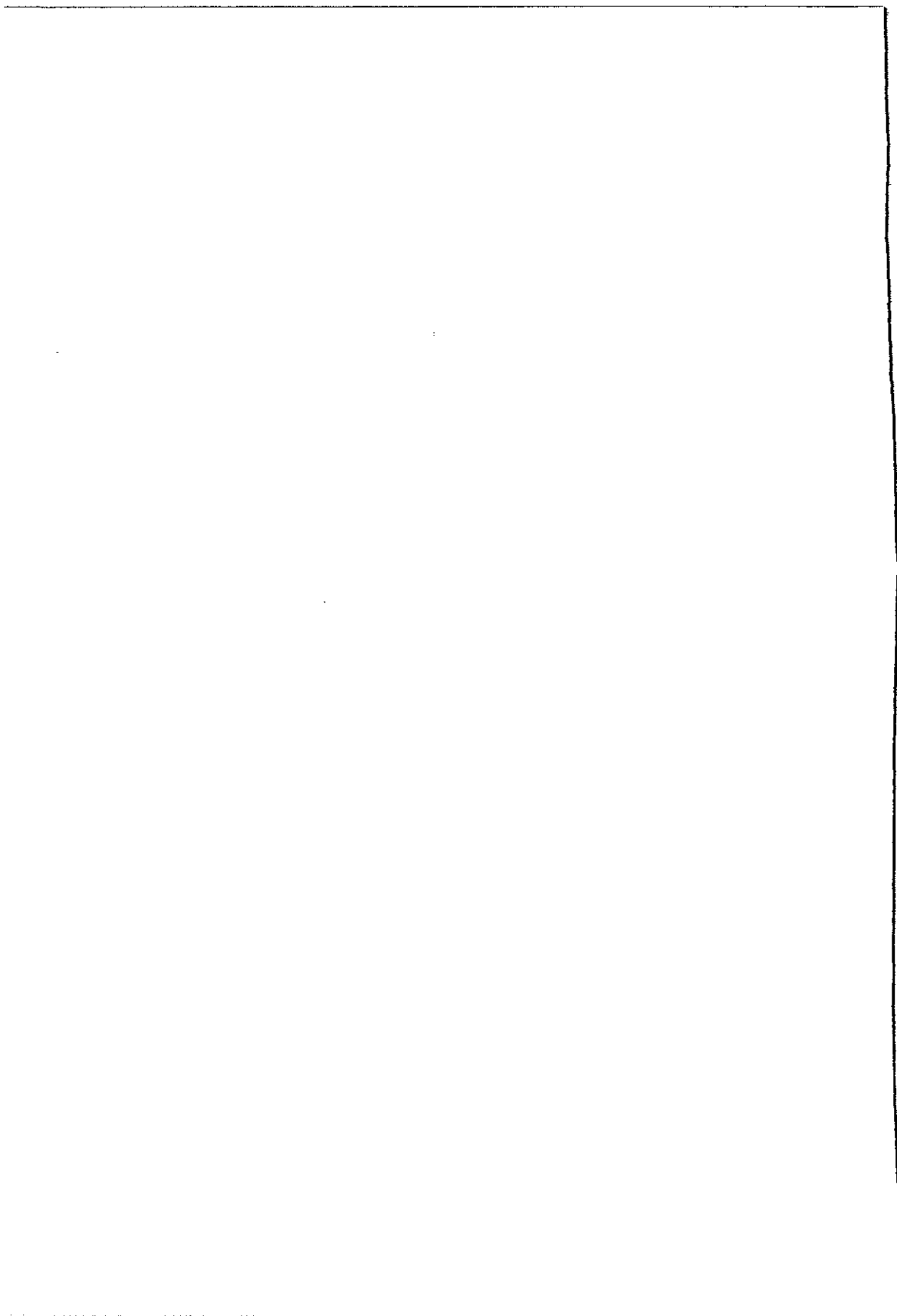
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# ADDRESSES AND REMARKS

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| Adams, Harvey       | Acceptance - Bill No. 697 - Encouraging the passage of pay equity legislation                                                                                                                            | 696  |
| Addams-Wawrzonek    | Acceptance - Bill No. 1084 - Welcoming the Slawek Walesa to Pittsburgh and further, offering a tribute to Karuzela, a polish song and dance ensemble                                                     | 1035 |
| Anderson, Bob       | Acceptance - Bill No. 1654 - Commending KDKA-TV and Al Julius for their tremendous effort on behalf of Julius's Turkeys for Thanksgiving, 1988                                                           | 1601 |
| Anderson, Mik       | Acceptance - Bill No. 962 - Commending Peabody High School Students to their participation in the Writing Workshop and acknowledging Ms. Pamela Johnson for her leadership in this project               | 936  |
| Anderson, Peggy     | Acceptance - Bill No. 1327 - Recognizing the week of September 5th to 11th as "Women in Sports Week"                                                                                                     | 1278 |
| Apple, Natalie      | Acceptance - Bill No. 1592 - Proclaiming October 31 - November 6, 1988 as "Schenley -Israeli Teen International Exchange Week"                                                                           | 1518 |
| Ballinger, Amy      | Comments on being in Pittsburgh                                                                                                                                                                          | 665  |
| Bathurst, Chris     | Acceptance - Bill No. 858 - Calling upon Commissioner Joseph Rhodes to vote to uphold the intent of the Public Utility Code and to conduct a public input hearing here in Pittsburgh on the rate request | 821  |
| Baughmiller, Wendy  | Acceptance - Bill No. 1445 - Proclaiming October 6, 1988 as "German American Day"                                                                                                                        | 1390 |
| Baumgardner, Robert | Acceptance - Bill No. 41 - Commending all those involved in the Ashland Oil Crisis for the untiring effort to preserve safety, health and welfare to a large number of citizens                          | 29   |
| Beatty              | Acceptance - Bill No. 963 - Commending INTERNATIONAL PEACEWALK and its citizen diplomacy person-to-person contacts                                                                                       | 937  |

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| Beatty, Ms.       | Acceptance - Bill No. 1161 - Extending<br>congratulations to the people of San Isidro<br>and warm wishes for success of the Pittsburgh<br>San Isidro Roberto Clemente Sport Center                                | 1095 |
| Blakely, Helen    | Acceptance - Bill No. 757 - Recognizing<br>May 15-22, 1988 as Police Memorial Week<br>in recognition to the Officers who have<br>made the sacrifice of their precious<br>lives for the cause of justice           | 731  |
| Blotzer, Edward   | Acceptance - Bill No. 1555 - Commending<br>Mr. Edward J. Blotzer on his twenty-five<br>years of service to the community in the<br>noble effort to prevent cruelty to<br>animals                                  | 1491 |
| Boehm, Magistrate | Oath of Office administered to Jack Wagner                                                                                                                                                                        | 5    |
| Bower, Richard    | Acceptance - Bill No. 213 -<br>Proclaiming February 21-27, 1988 as<br>"Engineers Week"                                                                                                                            | 236  |
| Braun, Bob        | Acceptance - Bill No. 755 - Urging<br>Congress to restore the annual<br>funding for LIHEAP to the range of<br>\$2 billion to meet the energy needs<br>of the disadvantaged American                               | 728  |
| Burns, Bernie     | Presentation - Bill No. 1703 - Congratulating<br>Bernie Burns on his retirement from the<br>City of Pittsburgh Fire Bureau                                                                                        | 1616 |
| Caliguiri, Mayor  | Organization of the One Hundred and Twenty-<br>Fifth Council of the City of Pittsburgh                                                                                                                            | 11   |
| Caliguiri, Mayor  | Bill No. 170 - Veto - Bill No. 47 -<br>Instructing the City Solicitor and<br>certain Directors to undertake certain<br>activities in regard to the contamination<br>in the Allegheny River<br>Mayor's Veto Letter | 203  |
| Caliguiri, Mayor  | Bill No. 171 - Veto - Bill Nos. 75 and 76 -<br>"Amending the budget by adding as an<br>employee a legal advisor and appropriating<br>additional funds from the Social Security<br>fund"<br>Mayor's Veto Letter    | 207  |

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| Caliguiri, Mayor | Acceptance of Statue-- Bill No. 270 -<br>Proclaiming February 21, 1988 "Sheet<br>Metal Craftmanship in the City of<br>Pittsburgh on the occassion of the<br>100th Anniversary of the Sheet Metal<br>Workers International Association   | 281  |
| Cannon, Glenn    | Acceptance - Bill No. 1444 - Declaring<br>the week of October 9-15, 1988 as "Fire<br>Prevention Week"                                                                                                                                   | 1388 |
| Cannon, Glenn    | Acceptance - Bill No. 41 - Commending<br>all those involved in the Ashland Oil<br>Crisis for the untiring effort to<br>preserve safety, health and welfare<br>to a large number of citizens                                             | 30   |
| Capasso, Shannon | Acceptance - Bill No. 1127 - Recognizing<br>the achievement of Shannon Capasso and<br>congratulating her as she reigns as the<br>1988 Queen of Marbles                                                                                  | 1069 |
| Carter, Colonel  | Acceptance - Bill No. 754 -<br>Proclaiming May 21, 1988 as Armed<br>Forces Day in the City of Pittsburgh                                                                                                                                | 727  |
| Carvelle, Jason  | Acceptance - Bill No. 1592 - Proclaiming<br>October 31 - November 6, 1988 as "Schenley<br>-Israeli Teen International Exchange Week                                                                                                     | 1518 |
| Carver, Dave     | Presentation - Bill No. 1266 - Proclaiming<br>Saturday, August 6, 1988 as "Dave Carver<br>Day" in the Crafton Heights area of the<br>City of Pittsburgh                                                                                 | 1197 |
| Cashman, Judge   | Acceptance - Bill No. 1406 - Recognizing<br>the week of September 26th as "Child<br>Support Awareness Week" and commending<br>the Allegheny County Family Division<br>for the work they have done in the<br>collection of child support | 1368 |
| Cerrone, Rich    | Acceptance - Bill No. 576 - Wishing the<br>1988 Pirates a successful season as they<br>continue their climb to the top of the<br>baseball world                                                                                         | 598  |
| Chertos, Cynthia | Acceptance - Bill No. 697 - Encouraging<br>the passage of pay equity legislation                                                                                                                                                        | 697  |

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| Connelly, Eugene | Acceptance - Bill No. 1163 - Commending the General Chairman of the Three Rivers Regatta, Eugene F. Connelly and honoring the late beloved Mayor Richard S. Caliguiri, 1988 "Riverperson of the Year"                                                                                   | 1098 |
| Connelly, John   | Acceptance - Bill No. 1163 - Commending the General Chairman of the Three Rivers Regatta, Eugene F. Connelly and honoring the late beloved Mayor Richard S. Caliguiri, 1988 "Riverperson of the Year"                                                                                   | 1098 |
| Conway, Mr.      | Presentation - Bill No. 1160 - Proclaiming Tuesday, August 9, 1988 as "National Night Out" and encouraging citizens to participate in the kickoff parade scheduled for July 30, 1988                                                                                                    | 1093 |
| Cooper, Reverend | Acceptance - Bill No. 925 - Commending Bethel African Methodist on celebrating its 180 year rich heritage in the City of Pittsburgh                                                                                                                                                     | 894  |
| Coyne, Michael   | Acceptance speech for the organization of the One Hundred and Twenty Fifth Council of the City of Pittsburgh                                                                                                                                                                            | 16   |
| Coyne, Michael   | Discussion - Bill No. 42 - Resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power, and that City Council hereby authorize the City Solicitor to petition the Court of Common Pleas for their removal | 49   |
| Coyne, Michael   | Comments - Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns - Separation of State and Church                                                                                                    | 67   |
| Coyne, Michael   | Discussion on televising:<br>Post Agenda - Concerns on about the conditions of Aliquippa Terrace<br>Post Agenda - Expiration of refuse collection and landfill                                                                                                                          | 93   |

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| Coyne, Michael | Discussion - Motion to appoint Ben Woods, President Pro-Tem of City Council                                                                                                                                                                                                                                                          | 118  |
| Coyne, Michael | Amendment - Bill No. 11 - Motorized Fire Equipment for the Department of General Services Amending Resolution No. 281/87                                                                                                                                                                                                             | 134  |
| Coyne, Michael | Legal Opinion - Requesting a ruling on the Home Rule Charter; appointments to Boards and Commissions                                                                                                                                                                                                                                 | 150  |
| Coyne, Michael | Discussion - Bill No. 61 - Purchase, lease or installation of materials with the regulation and utilization of the City of Pittsburgh's Cable Communications System                                                                                                                                                                  | 166  |
| Coyne, Michael | Discussion - Bill No. 75 - Decreasing Code Account 57, Social Security Fund from \$5,586,400.00 to \$5,466,400.00 (SPONSORED BY MICHELLE MADOFF) and; Bill No. 76 - Adding the As Needed positions of Legal Consultant, Fiscal Consultant, and Engineering Consultant Amending Resolution No. 1093/87 (SPONSORED BY MICHELLE MADOFF) | 173  |
| Coyne, Michael | Discussion - Requesting a Committee be formed to aid in hiring legal counsel                                                                                                                                                                                                                                                         | 186  |
| Coyne, Michael | Comments - Bill No. 176 - Congratulating John and Madeleine Wallace for their outstanding voting record                                                                                                                                                                                                                              | 193  |
| Coyne, Michael | Discussion to sustain veto Bill No. 171 - Veto -Bill Nos. 75 and 76 - "Amending the budget by adding as an employee a legal advisor and appropriating additional funds from the Social Security fund"                                                                                                                                | 210  |
| Coyne, Michael | Discussion - non-binding resolution - Independent counsel providing it doesn't increase the future budget                                                                                                                                                                                                                            | 221  |

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| Coyne, Michael | Comments - Bill No. 211 - Supporting<br>the Tri-State Conference on Steel<br>and the Steel Valley Authority along<br>with the United Steel Workers of<br>America in their attempt to reopen<br>the South Side Electric Furnace                                                                                                                          | 234  |
| Coyne, Michael | Discussion - Bill No. 220 - Members of<br>Pittsburgh City Council authorize the hiring<br>of a consultant to serve as Council's Legal<br>Advisor                                                                                                                                                                                                        | 268  |
| Coyne, Michael | Discussion - Alcosan Issue<br>Legal Opinion in reference to the issue<br>of Alcosan and the appointments of Council<br>Letter to Mayor Caliguiri 2-15-88                                                                                                                                                                                                | 273  |
| Coyne, Michael | Discussion - Bill No. 271 - Cablecast<br>all public hearings properly held under<br>Section 320 of the Home Rule Charter and<br>resolving five or members of Council<br>may vote to not cablecast and such<br>public hearing                                                                                                                            | 323  |
| Coyne, Michael | Issue concerning employees of the<br>School Board who are not City residents                                                                                                                                                                                                                                                                            | 330  |
| Coyne, Michael | Expressing dismay in the Administration's<br>conduct toward labor unions recently<br>Requesting letter sent to Bernie Schneider                                                                                                                                                                                                                         | 333  |
| Coyne, Michael | Discussion - Bill No. 237 - Amending<br>Rule XII of the Rules of Council to<br>read: "No rule of the the Council shall<br>be amended or changed, except by a<br>majority vote of the members elected<br>thereto, and after one week's previous<br>notice to the members in writing of<br>such change desired to be effected<br>(SPONSORED BY MR. FERLO) | 349  |

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| Coyne, Michael | Discussion - Bill No. 256 - Amending Rule IV of the Rules of Council to read: "At is organization meeting of thereafter Council shall by a majority vote of all Council Members, elect one member to serve as President Pro tempore for the for the ensuing term"; and by adding (b) "In the absence of the President and the President Pro tempore, the members shall elect a temporary President Pro tempore to Chair that meeting provided there be a quorum present." | 353  |
| Coyne, Michael | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days                                                                                                                                                                                                                | 388  |
| Coyne, Michael | Discussion - Bill No. 250 - Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                                                                                                                                                                                                                                                                     | 408  |
| Coyne, Michael | Once a roll call quorum is established, is the quorum maintained throughtout the meeting?<br>Reply: Yes, except the passage of legis-lation requires five (5) members; down to two, one person can not conduct a meeting<br>Exception of Wednesday Comittee Meeting                                                                                                                                                                                                       | 427  |
| Coyne, Michael | Discussion - Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                                                                                                                                                                                                                      | 442  |
| Coyne, Michael | Presentation - Bill No. 438 - Congratulating Bishop Donald W. Wuerl, S.T.D., D.D. in this week of his installation as the eleventh Bishop of the Diocese of Pittsburgh                                                                                                                                                                                                                                                                                                    | 455  |
| Coyne, Michael | Presentation - Bill No. 479 - Joining the community celebration of the opening of the "Carbarn" and commending the HGGH Council for their contributions over the past 23 years                                                                                                                                                                                                                                                                                            | 498  |

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| Coyne, Michael | Presentation - Bill No. 541 - Commending Dean H.J. Hoffer on his administration of the Joseph M. Katz Graduate School of Business of the University of Pittsburgh for their contribution to redevelopment in the Pittsburgh area                                  | 534  |
| Coyne, Michael | Appointments - April 4, 1988 - will not vote for individuals who are non-city residence                                                                                                                                                                           | 550  |
| Coyne, Michael | Vandalism in the City, Brookline Pool, West Penn Park and Leslie Park; reduce potential of occurrence                                                                                                                                                             | 590  |
| Coyne, Michael | Discussion - Bill No. 424 - Agreement with the Three Rivers Arts Festival for the furnishing of professional services in 1988                                                                                                                                     | 614  |
| Coyne, Michael | Discussion - Motion to Reconsider - Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review, term to expire April, 1991                                                                                                                       | 662  |
| Coyne, Michael | Discussion on the motion to untable Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments Term to expire April, 1991                                                                                                                             | 680  |
| Coyne, Michael | Presentation - Bill No. 698 - Recognizing May 9-13, 1988 as "Senior Center Week"                                                                                                                                                                                  | 697  |
| Coyne, Michael | Presentation - Bill No. 698 - Recognizing May 9-13, 1988 as "Senior Center Week"                                                                                                                                                                                  | 697  |
| Coyne, Michael | Discussion - Bill No. 692 - VETO<br>Communication from Mayor Richard Caliguiri<br>Bill No. 310 - Prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh Residency Requirement for their employees | 711  |



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| Coyne, Michael | Discussion - Motion to giving the President Pro tem full powers of the Presidency of Council                                                                                                                                                                               | 724  |
| Coyne, Michael | Presentation - Bill No. 754 - Proclaiming May 21, 1988 as Armed Forces Day in the City of Pittsburgh                                                                                                                                                                       | 726  |
| Coyne, Michael | Discussion - Bill No 586 - Nominating the South Side Pittsburgh Works, LTV Steel under Section 513 of Chapter 1007 of the Pittsburgh Code<br>Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                                                                   | 750  |
| Coyne, Michael | Discussion - Bill No. 643 - An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands<br>(SPONSORED BY MR. WAGNER) | 761  |
| Coyne, Michael | Discussion - Bill No. 795 - Agreement for the Design and construction of the Main Salt Storage Dome and Satellite Domes<br>Amending Resolution No. 390/85                                                                                                                  | 905  |
| Coyne, Michael | Discussion - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh<br>(SPONSORED BY MR. FERLO)                                                                                                                                                       | 911  |
| Coyne, Michael | Discussion - Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                                     | 919  |
| Coyne, Michael | Discussion on four salt domes, the site preparation and cost                                                                                                                                                                                                               | 928  |
| Coyne, Michael | Discussion on hemophiliac care needs needing to be increased from 1.3 million, which it was last year, to 2.8 million in 1989                                                                                                                                              | 929  |
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| Coyne, Michael | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 991  |
| Coyne, Michael | Presentation - Bill No. 1061 - Supporting the Emergency Hunger Relief Act and urges the United States Senators and the local Members of the United States House of Representatives to support SB 2123                                                                               | 999  |
| Coyne, Michael | Presentation - Bill No. 1062 - Commending all the volunteers and those close to them who have given so much of themselves for AIDS research and recognizing all the area research groups dedicated to the study of AIDS                                                             | 1000 |
| Coyne, Michael | Letter to Mayor Masloff regarding the "Paramedic's Union Reject Proposal By City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                                                                                                                   | 1027 |
| Coyne, Michael | Discussion - Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz to the Commission on Human Relations, term to expire July, 1992 and; also Bill No. 1131 - Appointment of Floyd Titus to the Commission on Human Relations, term to expire July, 1992                         | 1087 |
| Coyne, Michael | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991                                                                                                       | 1111 |
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| Coyne, Michael | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings | 1154 |
| Coyne, Michael | Discussion - Bill No. 1106 - Agreement with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus                                                                                                                                                                                    | 1171 |
| Coyne, Michael | Comments - Bill No. 1105 - Agreement with the Pittsburgh Community Services, Inc. for the implementation of the Home Security Program including Block Watch Organizers and the installation of locks and smoke detectors                                                                                                           | 1171 |
| Coyne, Michael | Discussion - Bill No. 1092 - Contract for Public Safety Facilities (various) renovations                                                                                                                                                                                                                                           | 1203 |
| Coyne, Michael | Discussion - Bill No. 1144 - Application for financial assistance with Pennsylvania, Department of Community Affairs for improvement associated with the Stadium Renewal Project in the amount of (\$2,500,000.00)                                                                                                                 | 1218 |
| Coyne, Michael | Override veto - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                   | 1248 |

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| Coyne, Michael | Discussion - Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters' a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor<br>(SPONSORED BY MR. WAGNER)                                                                                                                  | 1256 |
| Coyne, Michael | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                                                   | 1289 |
| Coyne, Michael | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                                                   | 1299 |
| Coyne, Michael | Commending Mr. Wagner on his heroic attempt to save a heart attack victim during the V.F.W. parade in Mt. Oliver                                                                                                                                                                                                                                                                                  | 1315 |
| Coyne, Michael | Discussion regarding the use of Chambers during council meetings as a vehicle for anyone to talk politics                                                                                                                                                                                                                                                                                         | 1315 |
| Coyne, Michael | Discussion on the salver contract                                                                                                                                                                                                                                                                                                                                                                 | 1358 |
| Coyne, Michael | Discussion concerning the public hearing concerning the human rights ordinance, Thursday, September 22, 1988, suggesting a time limit of two or three minutes for speaking and also requesting that city residents be given priority in speaking                                                                                                                                                  | 1365 |
| Coyne, Michael | Discussion - Bill No. 1302 - An Ordinance amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person<br>(SPONSORED BY MR. POLLOCK)<br>REMARKS, Wednesday, October 5, 1988 | 1427 |

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| Coyne, Michael | Discussion - VETO - Bill No. 454 -<br>Resolution amending the Pittsburgh Form 40,<br>Earned Income Tax Return Form, to<br>include a "check off" box to allow<br>a donation to the Hunger Trust<br>Fund of the City of Pittsburgh<br>(SPONSORED BY MR. FERLO)                                                                                                                                                                              | 1459 |
| Coyne, Michael | Discussion - Recommit - Bill No. 1349<br>Acquiring publicly owned property,<br>Vinecliff Street, 18th Ward,<br>Neighborhood Housing Fund; and also<br>Recommit - Bill No. 1352 - Contract<br>for Disposition of Land by and between<br>URA and Gildas A. Raib, Jr. for the<br>sale of Block 4-C, Lot 94, and Block 4-G,<br>Lots 249, 254, and 256 located on Vinecliff<br>Street, 18th Ward for \$2,500.00 - Neighborhood<br>Housing Fund | 1465 |
| Coyne, Michael | Discussion - Issue of tax reform for<br>the City of Pittsburgh and the fact<br>that it is bi-partisan and would help<br>municipalities throughout the State<br>in dealing with local tax problems;<br>also urging the Mayor's Office and<br>everyone else to try to take a more<br>active role in pushing for state<br>reform                                                                                                             | 1484 |
| Coyne, Michael | Senator Romeanelli's death, requesting<br>Council send a letter of condolences<br>in appreciation of his work and<br>service                                                                                                                                                                                                                                                                                                              | 1487 |
| Coyne, Michael | Discussion - Lack of plan in the City,<br>the County or State for management of<br>storm drainage in our creeks, due to<br>the situation occurring at this time<br>along Streets Run and Glass Run in the<br>31st Ward                                                                                                                                                                                                                    | 1501 |
| Coyne, Michael | Discussion - Issue of tax reform<br>and the possibility of a progressive<br>system of taxation                                                                                                                                                                                                                                                                                                                                            | 1513 |

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| Coyne, Michael | Discussion - Bill No. 1482 - Amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M.<br>(SPONSORED BY MR. LYONS)                           | 1532 |
| Coyne, Michael | Discussion - Bill No. 1490 - Contract for Work Station, etc/ installation for the Department of General Services                                                                                                                                                                                                                                   | 1546 |
| Coyne, Michael | Discussion - Requesting the elimination of the words "not to exceed" and keep the number or amount out by administrative order                                                                                                                                                                                                                     | 1559 |
| Coyne, Michael | Presentation - Bill No. 1701 - Commending Anthony (Tony) DePaolo, Greenfield's Person of the Year, for his commitment to the community                                                                                                                                                                                                             | 1614 |
| Coyne, Michael | Presentation - Bill No. 1702 - Recognizing the 25th Anniversary of the passing of President John Fitzgerald Kennedy and declaring November 22, 1988 as "John F. Kennedy Memorial Day" in the City of Pittsburgh and commending the Knights of Equity, Court 9, for their work in initiating and promoting a memorial for this great Irish American | 1615 |
| Coyne, Michael | Presentation - Bill No. 1724 - Proclaiming Thursday, December 1, 1988, as World AIDS Day in the City of Pittsburgh                                                                                                                                                                                                                                 | 1638 |
| Coyne, Michael | Discussion - Bill No. 1725 - Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax                                | 1641 |

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| Coyne, Michael | Discussion - VETO - Bill No. 1308<br>Amending Ordinance No. 24, approved<br>December 27, 1987, Section 1, 180.01,<br>Definitions, Subsection A-4, by including<br>Operations Coordinator, Chief Inspector,<br>Audit Manager, Chief Auditor, Cocontracts,<br>Supervisor, and Bookkeeping Supervisor,<br>in the "Noncareer Service" positions<br>of the City Controller's Office<br>(SPONSORED BY MR. WAGNER)                                                  | 1693 |
| Coyne, Michael | Discussion - Bill No. 1454 - Amending<br>Article VII, Chapter 161 of the Pittsburgh<br>Code, by creating a new line item (d)<br>"Pre Bid Specification" and changing item<br>(d) to (e) and item (e) to (f) under<br>Section 161.16 "Required Provisions<br>in Contracts"<br>(SPONSORED BY MR. FERLO)                                                                                                                                                        | 1701 |
| Coyne, Michael | Discussion - Bill No. 1658 - An Ordinance<br>amending the Pittsburgh Code, Title Five,<br>Traffic, Chapters 523 and 525, by setting<br>fees for release of immobilized vehicles<br>and; also Bill No. 1659 - An Ordinance<br>amending the Pittsburgh Code, Title Five<br>- Traffic, Article III, Towing, Chapter<br>525, Towing Charges, Section 525.02,<br>Schedule of Towing Fees, by changing<br>the fee schedule to be applied to each<br>classification | 1767 |
| Coyne, Michael | Observe a moment of silence for the families<br>of those who were killed in a plane crash<br>yesterday (December 21, 1988) on a Pan Am<br>jet                                                                                                                                                                                                                                                                                                                | 1771 |
| Coyne, Michael | Abstaining - Bill No. 1683 - Fixing the<br>number of officers and employees of all<br>departments of the City of Pittsburgh<br>and the rate of compensation thereof<br>for the year beginning January 1, 1989<br>by amending the Office of the City<br>Controller to decrease the proposed<br>change of \$69,442.00 for as-needed<br>positions                                                                                                               | 1773 |

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| Coyne, Michael     | Veto - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                         | 1792 |
| Cusick, Bernie     | Presentation - Bill No. 1702 - Recognizing the 25th Anniversary of the passing of President John Fitzgerald Kennedy and declaring November 22, 1988 as "John F. Kennedy Memorial Day" in the City of Pittsburgh and commending the Knights of Equity, Court 9, for their work in initiating and promoting a memorial for this great Irish American | 1615 |
| Daniel, Mary Lou   | Acceptance - Bill No. 1372 - Commending Neighborfair '88 for its time and dedication in exploring new and innovative ways to enhance our neighborhoods and declaring the week of September 19-25, 1988 as Neighborfair '88                                                                                                                         | 1320 |
| Davis, Ann         | Acceptance - Bill No. 961 - Supporting the KIDWATCH PROGRAM on their effort in serving the community                                                                                                                                                                                                                                               | 934  |
| DePaolo, Anthony   | Acceptance - Bill No. 1701 - Commending Anthony (Tony) DePaolo, Greenfield's Person of the Year, for his commitment to the community                                                                                                                                                                                                               | 1614 |
| DePasquale, Eugene | Discussion on Amendment to Bill No. 29 - Adding the following sections to the other authorization language to allow 4 percent wage increase for non-union employees and elected officers<br>Amending Resolution No. 1093/87 by deleting the members of Council                                                                                     | 39   |



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| DePasquale, Eugene | Discussion - Bill No. 42 - Resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power, and that City Council hereby authorize the City Solicitor to petition the Court of Common Pleas for their removal | 54   |
| DePasquale, Eugene | Comments - Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns - Separation of State and Church                                                                                                    | 65   |
| DePasquale, Eugene | Comments - Bill No. 64 - Communication from Charles Blocksidge, Ph.D., Director of Porperty Assessement, County of Allegheny, submitting the Certified Total Assessments of land and building for the City of Pittsburgh Hearing on Reassessments done two years in a row               | 79   |
| DePasquale, Eugene | Discussion on authorization to hire a Legal Advisor, Engineer and Fiscal Analyst                                                                                                                                                                                                        | 87   |
| DePasquale, Eugene | Discussion on televising:<br>Post Agenda - Concerns on about the conditions of Aliquippa Terrace<br>Post Agenda - Expiration of refuse collection and landfill                                                                                                                          | 93   |
| DePasquale, Eugene | Discussion - Bill No. 96 - Requesting a written report from the Housing Authority concerning the Allequippa Terrace dispute                                                                                                                                                             | 105  |
| DePasquale, Eugene | Discussion - Motion to appoint Ben Woods, President Pro-Tem of City Council                                                                                                                                                                                                             | 113  |
| DePasquale, Eugene | Discussion - Nomination of Ben Woods and Mark Pollock as President Pro-Tem of City Council                                                                                                                                                                                              | 122  |
| DePasquale, Eugene | Discussion - Bill No.20 - Dickie, McCamey and Chilcore, P.C. for services for the City Controller                                                                                                                                                                                       | 129  |

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| DePasquale, Eugene | Discussion - Bill No. 99 - Directing the City Controller to conduct a preformance audit of the Housing Authority (SPONSORED BY MR. FERLO)                                                                                                                                                                                                                                                                                                                                 | 243  |
| DePasquale, Eugene | Discussion - Bill No. 269 - Re-examine the decision to close the post office on Walnut Street                                                                                                                                                                                                                                                                                                                                                                             | 278  |
| DePasquale, Eugene | Discussion - Bill No. 100 - Agreement with the Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City Amending Resolution No. 1215/82 (SPONSORED BY MR. FERLO)                                                                                                                                                                                                         | 302  |
| DePasquale, Eugene | Discussion - Bill No. 271 - Cablecast all public hearings properly held under Section 320 of the Home Rule Charter and resolving five or members of Council may vote to not cablecast and such public hearing                                                                                                                                                                                                                                                             | 323  |
| DePasquale, Eugene | Discussion - Bill No. 300 - Declaring March 1, 1988 as Abolition Day in support of House Bill 1103 and urges all Pennsylvania Representatives to support this pro-life legislation, without amendment                                                                                                                                                                                                                                                                     | 340  |
| DePasquale, Eugene | Discussion - Bill No. 256 - Amending Rule IV of the Rules of Council to read: "At is organization meeting of thereafter Council shall by a majority vote of all Council Members, elect one member to serve as President Pro tempore for the for the ensuing term"; and by adding (b) "In the absence of the President and the President Pro tempore, the members shall elect a temporary President Pro tempore to Chair that meeting provided there be a quorum present." | 353  |
| DePasquale, Eugene | School Board; dismay of the approval of labor agreement without any indication of how the increase will be paid for; also the issue of residency                                                                                                                                                                                                                                                                                                                          | 372  |

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| DePasquale, Eugene | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days                                                                                                      | 404  |
| DePasquale, Eugene | Addressing parliamentarian on the question of once a roll call quorum is established, is the quorum maintained throughout the meeting?                                                                                                                                                                                                                          | 425  |
| DePasquale, Eugene | Discussion - Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                                                                                                            | 441  |
| DePasquale, Eugene | Discussion - Requesting that the ruling for Duquesne Light Company rate increase be made here in Pittsburgh                                                                                                                                                                                                                                                     | 450  |
| DePasquale, Eugene | Discussion - Bill No. 276 - Agreement for professional services relative to the purchase of fuel for city owned vehicles                                                                                                                                                                                                                                        | 481  |
| DePasquale, Eugene | Discussion - Bill No. 338 - Agreement with Patrick Media Group, Inc. for the payment of costs sustained upon the removal and installation of its billboard on property owned by POA Company, 20th Ward; and also Bill No. 339 -Purchase from POA Company, of their property along Banksville Road, 20th Ward for \$4,500.00, payable from Code Account EC 87-52 | 485  |
| DePasquale, Eugene | Comments - Bill No. 479 - Joining the community celebration of the opening of the "Carbarn" and commending the HGGH Council for their contributions over the past 23 years                                                                                                                                                                                      | 498  |
| DePasquale, Eugene | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. POLLOCK)                                                                                                                                                          | 512  |
| DePasquale, Eugene | Interview of all appointees on Wednesday, March 30, 1988                                                                                                                                                                                                                                                                                                        | 527  |

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| DePasquale, Eugene | Discretion in regards to ticketing and towing of cars in the Downtown area                                                                                                                                                                      | 530  |
| DePasquale, Eugene | Appointments - April 4, 1988 - will not vote for individuals who are non-city residence                                                                                                                                                         | 550  |
| DePasquale, Eugene | Discussion - Bill No. 250 - Agreement for Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                             | 551  |
| DePasquale, Eugene | Presentation - Bill No. 578 - Congratulating the Seton-LaSalle organization on winning their first PIAA Triple A Championship and applauding everyone's efforts                                                                                 | 601  |
| DePasquale, Eugene | Issue of the Fifth Avenue Bus Lane and the people who have been killed there Notify Port Authority and Public Safety                                                                                                                            | 621  |
| DePasquale, Eugene | Presentation - Bill No. 614 - Commending the firefighters and thanking them for their dedication in saving the lives of the people of Pittsburgh                                                                                                | 629  |
| DePasquale, Eugene | Comments - Bill No. 615 - Declaring April 25 - May 1, to be North Catholic Trojanettes Champion Basketball Week in the City of Pittsburgh                                                                                                       | 632  |
| DePasquale, Eugene | Discussion - Bill No. 586 - Repealing Resolution No. 185 of 1988 for the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (J&L plant) (SPONSORED BY MR. FERLO) | 638  |
| DePasquale, Eugene | Discussion - Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments Term to expire April, 1991                                                                                                                                  | 643  |
| DePasquale, Eugene | Discussion - Bill No 501 - Reappointment of Arthur Schock, to the Board of Code Review Term to expire April, 1991                                                                                                                               | 647  |
| DePasquale, Eugene | Discussion - Bill No 501 - Reappointment of Arthur Schock, to the Board of Code Review Term to expire April, 1991                                                                                                                               | 649  |

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| DePasquale, Eugene | Discussion - Bill No. 548 - Agreement for Consulting services on an "As Needed" basis for construction inspection<br>Amending Resolution No. 631/85                                                                                                                        | 660  |
| DePasquale, Eugene | Discussion - Motion to Reconsider - Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review, term to expire April, 1991                                                                                                                                | 663  |
| DePasquale, Eugene | Comments - Bill No. 699 - Commending Ed Walkowski for his contributions to the City of Pittsburgh and wishing him well in his future endeavors                                                                                                                             | 701  |
| DePasquale, Eugene | Discussion - Bill No. 692 - VETO<br>Communication from Mayor Richard Caliguiri<br>Bill No. 310 - Prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh Residency Requirement for their employees          | 712  |
| DePasquale, Eugene | Discussion - Motion to giving the President Pro tem full powers of the Presidency of Council                                                                                                                                                                               | 723  |
| DePasquale, Eugene | Presentation - Bill No. 754 - Proclaiming May 21, 1988 as Armed Forces Day in the City of Pittsburgh                                                                                                                                                                       | 726  |
| DePasquale, Eugene | Discussion - Bill No 586 - Nominating the South Side Pittsburgh Works, LTV Steel under Section 513 of Chapter 1007 of the Pittsburgh Code<br>Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                                                                   | 751  |
| DePasquale, Eugene | Discussion - Bill No. 643 - An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands<br>(SPONSORED BY MR. WAGNER) | 762  |
| DePasquale, Eugene | Requesting that Mr. Alex Scullli be included as a member of the Water and Sewer Authority                                                                                                                                                                                  | 779  |

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| DePasquale, Eugene | Discussion - Bill No. 632 - Agreement and/or contract to manufacture, supply, install and provide necessary services related to new street signs<br>Amending Resolution No. 1041/87                                                                              | 809  |
| DePasquale, Eugene | Discussion - Bill No. 791 - Contract for Roof rehabilitation and Masonry painting of No. 5 Police/No. 8 Fire Station<br>Amending Resolution No. 557/87                                                                                                           | 845  |
| DePasquale, Eugene | Discussion - Bill No. 792 - Contract/s for P.J. McArdle Roadway Sidewalk Rehabilitation<br>Amending Resolution No. 112/88                                                                                                                                        | 847  |
| DePasquale, Eugene | Situation concerning the purchase of radios for the Department of Public Safety                                                                                                                                                                                  | 849  |
| DePasquale, Eugene | Shadyside's parking problem                                                                                                                                                                                                                                      | 854  |
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| Ferlo, Jim | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days<br>REMARKS, Wednesday, March 2, 1988 | 389  |
| Ferlo, Jim | Discussion - Bill No. 232 - Transferring 179,000.00 from various Code Accounts to Code Account 42-1, Reserve for Unsettled Wages and Labor Contracts<br>(SPONSORED BY MR. FERLO)                                                                                                                | 406  |
| Ferlo, Jim | Discussion - Bill No. 250 - Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                                                                                           | 408  |
| Ferlo, Jim | Discussion - Bill No. 194 - Authorizing URA to expend \$340,000.00 of Giant Eagle Urban Development Action Grant repayment funds for the Streetface Program                                                                                                                                     | 410  |
| Ferlo, Jim | Discussion - Bill No. 240 - Authorizing an agreement with the URA for administration of City Programs and Projects                                                                                                                                                                              | 411  |
| Ferlo, Jim | Discussion - Bill No. 225 - An agreement with the American Wind Symphony for 1987 services<br>Amending Resolution No. 74/87<br>REMARKS, Wednesday, March 2, 1988                                                                                                                                | 413  |
| Ferlo, Jim | Comments - Bill No. 187 - An agreement for the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safaety Building<br>Amending Resolution No. 933/86<br>REMARKS, Wednesday, March 2, 1988                                               | 419  |
| Ferlo, Jim | Once a roll call quorum is established, is the quorum maintained throughtout the meeting?<br>Reply: Yes, except the passage of legis-lation requires five (5) members; down to two, one person can not conduct a meeting<br>Exception of Wednesday Comittee Meeting                             | 426  |

# ADDRESSES AND REMARKS

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| Ferlo, Jim | Asking Council's support on opposing Mr. Schneider's trip to San Diego for over \$1,000.00                                                                                                                | 427  |
| Ferlo, Jim | Requesting post agenda session, Wednesday, March 9, 1988 at 1:00 P.M. regarding the City Contract for fuel for City vehicles                                                                              | 427  |
| Ferlo, Jim | Discussion - Bill No. 278 - Conditional Use application to Mercy Hospital for a nine-story parking garage extension of 259 parking stalls                                                                 | 438  |
| Ferlo, Jim | Addressing montly meeting of the School Board on the pact accepted with the Pittsburgh Federation of Teachers                                                                                             | 444  |
| Ferlo, Jim | Wednesday, March 16, 1988 at 7:30 P.M. rally in Chambers sponsored by the Pennsylvania Alliance for Jobs and Energy concerning Duquesne Light                                                             | 444  |
| Ferlo, Jim | Discussion - Requesting that the ruling for Duquesne Light Company rate increase be made here in Pittsburgh                                                                                               | 449  |
| Ferlo, Jim | Presentation - Bill No. 439 - Welcoming Wilfredo Seda to Pittsburgh in recognition of the vital role the Hispanic community has played in the growth of Western Pennsylvania                              | 456  |
| Ferlo, Jim | Discussion - Bill No. 276 - Agreement for professional services relative to the purchase of fuel for city owned vehicles                                                                                  | 477  |
| Ferlo, Jim | Discussion on the drug and other related problems on Trent Street in the Hill District                                                                                                                    | 489  |
| Ferlo, Jim | Reporting on the School Board Meeting; copy of remarks presented to Council concerning the four percent (4%) tax reform issue                                                                             | 494  |
| Ferlo, Jim | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK) | 512  |

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| Ferlo, Jim | Comments - Bill No. 340 - Agreement with Consultant/s for Landscape Architectural Design in connection with the rehabilitation of various playgrounds                | 520  |
| Ferlo, Jim | Concern over the fact that Mr. Ferlo has not been appointed to a board as a member of Council                                                                        | 529  |
| Ferlo, Jim | Presentation - Bill No. 542 - Endorsing the AMERICAN FAMILY CELEBRATION: WORKING FOR CHANGE                                                                          | 535  |
| Ferlo, Jim | Appointments - April 4, 1988 - will not vote for a least five of the individuals because of non-city residency and other reasons                                     | 548  |
| Ferlo, Jim | Discussion - Bill No. 250 - Agreement for Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                  | 551  |
| Ferlo, Jim | Comments - Bill No. 370 - Agreement with Pittsburgh Trust for Cultural Resources for the furnishing of professional services in 1988                                 |      |
|            | REMARKS, Wednesday, March 30, 1988                                                                                                                                   | 573  |
| Ferlo, Jim | Supporting the efforts to thwart the unfriendly take-over and assist to ensure Koppers Company, Inc. remains a Pittsburgh based company                              |      |
|            | Listing people to write in protest                                                                                                                                   | 592  |
| Ferlo, Jim | Letter from Mr. Zeigler, President, Pittsburgh History and Landmarks Foundation, concerning the LTV Works, Southside J&L Works                                       | 593  |
| Ferlo, Jim | Comments made by Mr. Mistick of the Mistick and Company Organization concerning the union organization and individuals raised with Council during the public hearing | 593  |
| Ferlo, Jim | Continual problems of 911 whether or not there is total accuracy in the system or a management problem; requesting an overview or investigation                      | 594  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                           | PAGE |
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| Ferlo, Jim | Procedure - Bill No. 565 - Amending the Pittsburgh Code, Title Ten - Building, Chapter 1007, Section 513, et. seq. Special Historic Buildings and Districts, by providing for added protection during the designation process; referred to the Board of Code Review<br>(SPONSORED BY MR. POLLOCK) | 605  |
| Ferlo, Jim | Comments - Bill No. 464 - Agreement with Laboratories for services in connection with the administratio and evaluation of testing for City of Pittsburgh employees and candidates                                                                                                                 | 608  |
| Ferlo, Jim | Discussion - Bill No. 424 - Agreement with the Three Rivers Arts Festival for the furnishing of professional services in 1988                                                                                                                                                                     | 616  |
| Ferlo, Jim | Issue of the Fifth Avenue Bus Lane and the people who have been killed there                                                                                                                                                                                                                      | 620  |
| Ferlo, Jim | Notify Port Authority and Public Safety                                                                                                                                                                                                                                                           | 622  |
| Ferlo, Jim | Issue regarding the Mayor's appointment of Mr. Walkowski and Mr. Noonan, requesting a public hearing on the subject matter                                                                                                                                                                        | 623  |
| Ferlo, Jim | Issue concerning the purchase of an automobile from the pound by a City Employee, requesting a formal report from the Director and the Administration                                                                                                                                             | 636  |
| Ferlo, Jim | Discussion - Bill No. 586 - Repealing Resolution No. 185 of 1988 for the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (J&L plant)<br>(SPONSORED BY MR. FERLO)                                                | 643  |
| Ferlo, Jim | Discussion - Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments Term to expire April, 1991                                                                                                                                                                                    | 647  |
| Ferlo, Jim | Discussion - Bill No. 496 - Appointment of Timothy G. Urich, to the Water and Sewer Authority, term to expire April, 1993                                                                                                                                                                         | 648  |
| Ferlo, Jim | Discussion - Bill No 501 - Reappointment of Arthur Schock, to the Board of Code Review Term to expire April, 1991                                                                                                                                                                                 |      |



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| Ferlo, Jim | Discussion of the following appointments:<br>Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review<br>Term to expire April, 1991; also<br>Bill No. 504 - Appointment of Stephen Cohen, to the Art Commission<br>For the term of the Mayor; also<br>Bill No. 506 - Appointment of Mark William, to the Art Commission<br>For the term of the Mayor; also<br>Bill No. 547 - Appointment of Walter Sims, to the Art Commission<br>For the term of the Mayor | 650  |
| Ferlo, Jim | Comments - Bill No. 310 - Prohibiting transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh residency requirement for their employees<br>(SPONSORED BY MR. FERLO)<br>REMARKS, Wednesday, April 13, 1988                                                                                                                                                                                                                       | 652  |
| Ferlo, Jim | Discussion - Bill No. 548 - Agreement for Consulting services on an "As Needed" basis for construction inspection<br>Amending Resolution No. 631/85                                                                                                                                                                                                                                                                                                                            | 659  |
| Ferlo, Jim | Discussion - Motion to Reconsider -<br>Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review, term to expire April, 1991                                                                                                                                                                                                                                                                                                                                 | 661  |
| Ferlo, Jim | Comments - Bill No. 659 - Urging the Pittsburgh Public School Board to keep the doors of the Connelley Vocational Trade School                                                                                                                                                                                                                                                                                                                                                 | 667  |
| Ferlo, Jim | Discussion on the motion to untable<br>Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments<br>Term to expire April, 1991                                                                                                                                                                                                                                                                                                                                    | 679  |
| Ferlo, Jim | Comments - Bill No. 566 - Contract for Condemned buildings, demolition and removal<br>REMARKS, Wednesday, April 20, 1988                                                                                                                                                                                                                                                                                                                                                       | 685  |
| Ferlo, Jim | Vandalism in various city parks, possible implementation of the Park Police Patrol; also the use of lighting that is more difficult to shoot out                                                                                                                                                                                                                                                                                                                               | 691  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                           | PAGE |
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| Ferlo, Jim | Comments - Bill No. 697 - Encouraging the passage of pay equity legislation                                                                                                                                                                                       | 697  |
| Ferlo, Jim | Presentation - Bill No. 699 - Commending Ed Walkowski for his contributions to the City of Pittsburgh and wishing him well in his future endeavors                                                                                                                | 698  |
| Ferlo, Jim | Motion for a three minute recess                                                                                                                                                                                                                                  | 708  |
| Ferlo, Jim | Discussion - Bill No. 692 - VETO<br>Communication from Mayor Richard Caliguiri<br>Bill No. 310 - Prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh Residency Requirement for their employees | 709  |
| Ferlo, Jim | Discussion - Bill No. 601 - Agreement with Lutheran Service Society for services in connection with the U.S.D.A. Commodity Distribution<br>(SPONSORED BY MR. WOODS)                                                                                               | 719  |
| Ferlo, Jim | Situation concerning the paramedics and the 911 system's problem                                                                                                                                                                                                  | 722  |
| Ferlo, Jim | Discussion - Motion to giving the President Pro tem full powers of the Presidency of Council                                                                                                                                                                      | 724  |
| Ferlo, Jim | Presentation - Bill No. 755 - Urging Congress to restore the annual funding for LIHEAP to the range of \$2 billion to meet the energy needs of the disadvantaged American                                                                                         | 728  |
| Ferlo, Jim | Comments - Bill No. 631 - Warrant to A & H Equipment Company in the amount of 7,191.73 for the installation of neighborhood street signs                                                                                                                          | 741  |
| Ferlo, Jim | Discussion - Bill No 586 - Nominating the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                        | 748  |

# ADDRESSES AND REMARKS

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| Ferlo, Jim | Comments - Bill No. 622 - Contract/s for<br>Ballfields lighting and electrical<br>renovations, including, but not limited<br>to Arlington Field<br>REMARKS, Wednesday, May 4, 1988                                                                                                                                                                                                                                                                                                                                                                                                                  | 774  |
| Ferlo, Jim | Introducing the fine gentlemen from<br>our sister City of San Ysidro in<br>Nicaragua                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 781  |
| Ferlo, Jim | Discussion - Bill No. 632 - Agreement<br>and/or contract to manufacture, supply,<br>install and provide necessary services<br>related to new street signs<br>Amending Resolution No. 1041/87<br>REMARKS, Wednesday, May 18, 1988                                                                                                                                                                                                                                                                                                                                                                    | 795  |
| Ferlo, Jim | Discussion - Bill No. 632 - Agreement<br>and/or contract to manufacture, supply,<br>install and provide necessary services<br>related to new street signs<br>Amending Resolution No. 1041/87                                                                                                                                                                                                                                                                                                                                                                                                        | 802  |
| Ferlo, Jim | Discussion - Bill No. 858 - Calling upon<br>Commissioner Joseph Rhodes to vote to<br>uphold the intent of the Public Utility<br>Code and to conduct a public input<br>hearing here in Pittsburgh on the rate<br>request                                                                                                                                                                                                                                                                                                                                                                             | 820  |
| Ferlo, Jim | Discussion - Bill No. 720 - Making<br>certain additions and corrections to<br>the Appropriations for 1988<br>Amending Resolution No. 1092/87                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 827  |
| Ferlo, Jim | Comments - Bill No. 729 - Transferring<br>32,371.00, from Code Account 1401, Misc.<br>Services to Code Account 1404, Supplies<br>and Materials, Bureau of Administration;<br>and 4,600.00, from Code Account 1422,<br>EMS Supplies and Materials to Code Account<br>1424, EMS Uniforms, Bureau of EMS; and<br>2,434.00, from Code Account 1448, Misc.<br>Services to Code Account 1449, Supplies<br>and Materials; and 2,250.00, from Code<br>Account 1448, Misc. Services to Code<br>Account 1450, Equipment, Bureau of Police,<br>Department of Public Safety<br>REMARKS, Wednesday, May 25, 1988 | 828  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                          | PAGE |
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| Ferlo, Jim | Discussion - Bill No. 740 - Purchase of Litter Receptacles at the cost of \$25,000.00                                                                                                                                                            | 833  |
| Ferlo, Jim | Discussion - Bill No. 718 - Agreement with Consultant/s to provide computer consulting services related to the management of the City's Permit Parking Program                                                                                   | 835  |
| Ferlo, Jim | Discussion - Bill No. 684 - Cooperation Agreement with the URA to act as agent in matters of property relocation of rights-of-way in connection with the reconstruction of Grant Street/Liberty Avenue<br>REMARKS - Wednesday, May 25, 1988      | 836  |
| Ferlo, Jim | Discussion - Bill No. 704 - Agreement/s or Contract/s for leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building<br>Amending Resolution No. 932/86 | 842  |
| Ferlo, Jim | Discussion - Bill No. 792 - Contract/s for P.J. McArdle Roadway Sidewalk Rehabilitation<br>Amending Resolution No. 112/88                                                                                                                        | 846  |
| Ferlo, Jim | Situation concerning the purchase of radios for the Department of Public Safety and the issue concerning 911                                                                                                                                     | 850  |
| Ferlo, Jim | Terrace Village protest rally in objection to the public housing community (Housing Authority)                                                                                                                                                   | 852  |
| Ferlo, Jim | Discussion on excusing absent members                                                                                                                                                                                                            | 856  |
| Ferlo, Jim | Comments - Bill No. 874 - Communication from Tom Flaherty, submitting the Fiscal Audit of the Department of General Services, Warehouse Inventory, as of December 31, 1987                                                                       | 861  |
| Ferlo, Jim | Comments - Bill No. 640 - Accounting Firm (Independent) to preform the annual audit for the City of Pittsburgh for the period of three (3) years, years ending December 31, 1988, 1989 and 1990<br>(REMARKS, Wednesday, June 1, 1988)            | 862  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                 | PAGE |
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| Ferlo, Jim | Comments - Bill No. 734 - Granting unto Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                  | 871  |
| Ferlo, Jim | Discussion - Bill No. 786 - Agreement with Port Authority whereby they shall have permission to utilize a portion of the Zoo Parking Lot #2 as a "designated Park-N-Ride Area"                                          | 874  |
| Ferlo, Jim | Comments - Bill No. 795 - Agreement or Contract for the design and construction of the Main Salt Storage Dome and Satellite Domes<br>Amending Resolution No. 390/85<br>REMARKS, Wednesday, June 1, 1988                 | 879  |
| Ferlo, Jim | Comments - Bill No. 792 - Contract for P.J. McArdle Roadway Sidewalk Rehabilitation<br>Amending Resolution No. 112/88                                                                                                   | 883  |
| Ferlo, Jim | Comments - Bill No. 830 - Contract for South Side Riverfront Park repairing and restoring damages from the Asland Oil Spill                                                                                             | 884  |
| Ferlo, Jim | Public Hearing on the Hunger Act, Tuesday, June 7, 1988, 10:00 A.M.                                                                                                                                                     | 886  |
| Ferlo, Jim | New Fire Equipment, requesting report                                                                                                                                                                                   | 886  |
| Ferlo, Jim | Koppers' situation, trying to keep the jobs in this area - Letters sent to show Council's support                                                                                                                       | 888  |
| Ferlo, Jim | Discussion - Bill No. 904 - Incurring Lease Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount | 901  |
| Ferlo, Jim | Discussion - Bill No. 795 - Agreement for the Design and construction of the Main Salt Storage Dome and Satellite Domes<br>Amending Resolution No. 390/85                                                               | 905  |
| Ferlo, Jim | Discussion - Bill No. 847 - Providing for the filing of a petition for the sale of property acquired at tax sale in accordance with Act No. 171 of 1984<br>(Rescind Item F of Council Bill 847)                         | 909  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                             | PAGE |
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| Ferlo, Jim | Discussion - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                                   | 911  |
| Ferlo, Jim | Discussion - Bill No. 456 - Directing the Mayor to prepare a year-end State of the Poor Report (SPONSORED BY MR. FERLO)                                                                                                                                             | 913  |
| Ferlo, Jim | Discussion - Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                              | 914  |
| Ferlo, Jim | REMARKS, Wednesday, June 1, 1988<br>Withdrew a resolution regarding the transfer of \$500,000.00 from various code account in the City budget to the Hunger Trust Fund                                                                                              | 931  |
| Ferlo, Jim | Presentation - Bill No. 962 - Commending Peabody High School Students to their participation in the Writing Workshop and acknowledging Ms. Pamela Johnson for her leadership in this project                                                                        | 936  |
| Ferlo, Jim | Worker's Compensation contract issue, report from the Administration; also Troy Hill Fire Station intentions                                                                                                                                                        | 943  |
| Ferlo, Jim | Discussion - Bill No. 904 - Authorizing the City to incur a Lease-Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount                       | 945  |
| Ferlo, Jim | Comments - Motion - Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)c(3) by adding, "final recommendation shall require at least five affirmative votes of the appointed Commission members" | 949  |
| Ferlo, Jim | Discussion on the purchase and operation of the Pierce Tiller Truck for the Fire Department                                                                                                                                                                         | 951  |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                | PAGE |
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| Ferlo, Jim | Legislation was sent to the Board of Code Review, one on the plastic issue and two on the reforming of the Board of Adjustments process; requires 45 days for them to respond                                                                                                                                                                                                                          | 969  |
| Ferlo, Jim | Comments - Bill Nos. 895 - 901 - Agreements with the URA for implementation of various programs<br>REMARKS - Wednesday, June 22, 1988                                                                                                                                                                                                                                                                  | 974  |
| Ferlo, Jim | Comments - Bill No. 869 - Formation of a municipal authority to be known as the City of Pittsburgh Equipment Leasing Authority Amending Resolution No. 652/80<br>(SPONSORED BY MR. FERLO)<br>REMARKS - Wednesday, June 22, 1988                                                                                                                                                                        | 979  |
| Ferlo, Jim | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks                                                                                                                    | 991  |
| Ferlo, Jim | Discussion - Bill No. 1054 - VETO - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh                                                                                                                                                                                                                                                                                        | 1008 |
| Ferlo, Jim | Discussion - Bill No. 1001 - Agreement with the Pittsburgh Community Services, Inc. for the operation and implementation of a City-Wide Food Distribution and Services Program                                                                                                                                                                                                                         | 1016 |
| Ferlo, Jim | Discussion - Bill No. 1003 - Filing of a Community Development statement with the U.S. Department of Housing for a grant in connection with the 1988 Community Development Block Grant Program to decrease line item (CC-88-10) "City Council Hunger Services Network" and increase line item (CC-88-01) City Council Pittsburgh Community Services (Hunger Program)<br>Amending Resolution No. 448/88 | 1019 |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                           | PAGE |
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| Ferlo, Jim | Comments - Voting No - Bill No. 968<br>Contract for the Department of Engineering<br>and Construction, Third Floor remodeling<br>Amending Resolution No. 250/87                                                                                                                                                   | 1024 |
| Ferlo, Jim | Letter to Mayor Masloff regarding<br>the "Paramedic's Union Reject Proposal<br>By City to Sell Grievance" article<br>in the Pittsburgh Press (radio issue)                                                                                                                                                        | 1026 |
| Ferlo, Jim | Presentation - Bill No. 1083 - Supporting<br>the legislation in the Pennsylvania House<br>of Representatives to secure \$200,000<br>from the Commonwealth of Pennsylvania<br>to address the costs of demolishing<br>unsalvageable dwellings and underwriting<br>a portion of the expense to rehabilitate<br>units | 1032 |
| Ferlo, Jim | Comments - Bill No. 1084 - Welcoming<br>the Slawek Walesa to Pittsburgh and further,<br>offering a tribute to Karuzela, a polish<br>song and dance ensemble                                                                                                                                                       | 1035 |
| Ferlo, Jim | Discussion - Bill No. 905 - Agreement with<br>Pittsburgh Steelers Sports, Inc., the<br>Stadium Authority of the City of Pittsburgh<br>and consented to be Pittsburgh Baseball<br>Associates                                                                                                                       | 1039 |
| Ferlo, Jim | REMARKS - Wednesday, July 6, 1988<br>Discussion - Bill No. 588 - Conditional<br>use for Allegheny County Medical Society<br>713 Ridge Avenue, to expand facility to<br>include, 701 Ridge Avenue for parking<br>and 717 Ridge Avenue for an extension<br>to the building                                          | 1051 |
| Ferlo, Jim | REMARKS - Wednesday, July 6, 1988<br>Discussion regarding all the appropriations<br>to various agencies with the ULO grants,<br>concerning the predicament with the Ernest<br>T. Williams Memorial Center finances, all<br>should be audited or accountable                                                       | 1059 |



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| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                             | PAGE |
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| Ferlo, Jim | Discussion - Bill No. 977 - Amending the Pittsburgh Code, Title 8 - Fire Prevention, Article 29, Hazardous Materials and Chemicals, Chapter 803, Amendments Section F-2901.2 of the Boca National Fire Prevention Code by adding Item (1) including the NFPA 704 Identification of Fire Hazards Materials, 1985 Edition<br>(SPONSORED BY MR. FERLO) | 1061 |
| Ferlo, Jim | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991<br>Amending Resolution No. 222/88                                                                                                                                     | 1110 |
| Ferlo, Jim | Discussion - Bill No. 1069 - Agreement for Pittsburgh Community Services, Inc. for the operation and implementation of a "Citywide Food Distribution and Services Program"                                                                                                                                                                          | 1133 |
| Ferlo, Jim | Override Veto - Bill No. 708 - An Ordinance amending Title 10, Chapter 1013 of the Pittsburgh Code to allow public input into the building variance process                                                                                                                                                                                         | 1148 |
| Ferlo, Jim | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings                  | 1150 |
| Ferlo, Jim | Discussion - Bill No. 1015 - Transferring \$200,000.00 from various Code Accounts to Code Account 1103, Miscellaneous Services<br>(SPONSORED BY MR. FERLO)                                                                                                                                                                                          | 1157 |
| Ferlo, Jim | Discussion - Bill No. 994 - Agreement with Community Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods<br>Letter from Robert Lurcott, July 28, 1988                                                                                                                 | 1159 |

# **ADDRESSES AND REMARKS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                | <b>PAGE</b> |
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| Ferlo, Jim     | Discussion - Bill No. 1021 - Agreement with the Pittsburgh Community Services, Inc. for the operation and implementation of a Citywide Food Distribution and Services Program (SPONSORED BY MR. FERLO)<br>REMARKS - Wednesday, July 27, 1988  | 1163        |
| Ferlo, Jim     | Discussion - Bill No. 1106 - Agreement with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus                                                                                               | 1174        |
| Ferlo, Jim     | Discussion - Bill No. 1147 - Creating a special trust fund to be designated Meter Installation Program to receive funds from the Pittsburgh Water and Sewer Authority to pay the expenses of the program<br>REMARKS, Wednesday, July 27, 1988 | 1177        |
| Ferlo, Jim     | Bill No. 1092 - Contract for Public Safety Facilities (various) renovations<br>REMARKS, Wednesday, July 27, 1988                                                                                                                              | 1181        |
| Ferlo, Jim     | Discussion - Bill No. 1243 - Appointing Councilman Jim Ferlo, as a member of the Pittsburgh Equipment Leasing Authority for a term to expire January 1, 1993                                                                                  | 1182        |
| Ferlo, Jim     | Discussion - Bill No. 1244 - Appointing Councilman Jack Wagner as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989                                                                  | 1186        |
| Ferlo, Jim     | Discussion - Supporting a letter going from Council to the City Administration regarding the City's salver contract                                                                                                                           | 1192        |
| Ferlo, Jim     | Discussion - Restoring the benches in the lobby of the City-County Building                                                                                                                                                                   | 1193        |
| Ferlo, Jim     | Discussion - Bill No. 1092 - Contract for Public Safety Facilities (various) renovations<br>REMARKS - Wednesday, July 27, 1988                                                                                                                | 1201        |
| Ferlo, Jim     | Issue of firetrucks and the tillers<br>Requesting report from Mr. DePasquale on the meetings held regarding this matter                                                                                                                       | 1204        |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PAGE |
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| Ferlo, Jim | Bill No. 1133 - Amending the Pittsburgh Code, Title 2 - Fiscal, Article I, Administration, Chapter 213, Investment and Disinvestment by adding Section 213.04 - Northern Ireland Investments (SPONSORED BY MR. COYNE), and; also Bill No. 1134 - Amending the Pittsburgh Code, Title 2 - Fiscal, Article III, Depositories, Chapter 221, Contracts, by adding to the requirements for the qualifications of banks and lending institutions which desire to qualify as depositories of City monies (SPONSORED BY MR. COYNE)                                     | 1211 |
| Ferlo, Jim | REMARKS, Wednesday, August 3, 1988<br>Discussion - Bill No. 1151 - Equibank (Merchant Agreement) for the implementation of a Visa/Mastercard payment program at the City Towpound                                                                                                                                                                                                                                                                                                                                                                              | 1213 |
| Ferlo, Jim | Discussion - Bill No. 1213 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of the City Council (SPONSORED BY MR. WAGNER), and; also Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor (SPONSORED BY MR. WAGNER) | 1215 |
| Ferlo, Jim | Discussion - Bill No. 1215 - Warrant for Proctoring services in connection with the Department of Personnel and Civil Service Commission's examination by increasing 22,000.00 to 24,000.00<br>Amending Resolution No. 191/88                                                                                                                                                                                                                                                                                                                                  | 1216 |

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| Ferlo, Jim | Discussion - Bill No. 1144 - Application for financial assistance with Pennsylvania, Department of Community Affairs for improvement associated with the Stadium Renewal Project in the amount of (\$2,500,000.00)                                                                                                                                      | 1217 |
| Ferlo, Jim | Discussion - Bill No. 1145 - Agreement with the North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side                                                                                                                                                          | 1219 |
| Ferlo, Jim | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u> Amending Resolution No. 987/87 (SPONSORED BY MR. WOODS)                                                                                | 1220 |
| Ferlo, Jim | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u> Amending Resolution No. 987/87 (SPONSORED BY MR. WOODS)                                                                                | 1226 |
| Ferlo, Jim | Incident that occurred at the Regatta Report requested from the City Solicitor                                                                                                                                                                                                                                                                          | 1229 |
| Ferlo, Jim | Motion and resolution procedure                                                                                                                                                                                                                                                                                                                         | 1229 |
| Ferlo, Jim | Override veto - Bill No. 1021 - Resolution authorizing an agreement to implement a "City-wide food distribution and services program" at a cost not to exceed \$200,000.00 and; also Bill No. 1015 - Transferring the aggregate amount of \$200,000.00 from various code accounts to Code Account No. 1103, Misc. Services, Department of City Planning | 1236 |

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| Ferlo, Jim | Override veto - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                                                                                                | 1242 |
| Ferlo, Jim | Discussion - Bill No. 1141 - Vacating Scott Place, Fort Duquesne Blvd. and Penn Avenue, 2nd Ward                                                                                                                                                                                                                                                                                                                                | 1258 |
| Ferlo, Jim | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                                                                                 | 1287 |
| Ferlo, Jim | Presentation - Bill No. 1344 - Declaring the week of September 11-17, 1988 as "Hispanic Heritage Week"                                                                                                                                                                                                                                                                                                                          | 1293 |
| Ferlo, Jim | Discussion - Bill No. 1337 - (Cooperation) Agreement with the URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an intial term of 30 years at an annual rental of One (\$1.00) dollar                                                                                                    | 1295 |
| Ferlo, Jim | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                                                                                 | 1296 |
| Ferlo, Jim | REMARKS, Wednesday, September 7, 1988<br>Discussion - Tabling - Bill No. 1308 - Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Cheif Auditor, Contracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office<br>(SPONSORED BY MR. WAGNER) | 1301 |

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| Ferlo, Jim | Bill No. 850 - Amending the Pittsburgh Code, Title Nine - Zoning, by changing "R4" to "C3", Tripoli Street, Middle Street North Avenue, and the boundary line located west of East Street, 23rd Ward<br>(SPONSORED BY MR. WOODS)                                          | 1302 |
| Ferlo, Jim | Discussion - Bill No. 1145 - Agreement with North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side<br>REMARKS, Wednesday, September 7, 1988                                       | 1308 |
| Ferlo, Jim | Discussion regarding the benches in the lobby of the City-County Building. According to the Mayor the benches are not going back into the lobby                                                                                                                           | 1314 |
| Ferlo, Jim | Discussion on the incident of a broken axle and a blown transmission on one of the new tiller trucks - Requesting a formal letter to be sent to the Mayor and the Fire Chief regarding this matter                                                                        | 1314 |
| Ferlo, Jim | Presentation - Bill No. 1371 - Declaring September 18-24, 1988 as Emergency Medical Services Week                                                                                                                                                                         | 1319 |
| Ferlo, Jim | Discussion - Bill No. 1351 - Contract for Disposition of Land by and between the URA and the Commonwealth of Pennsylvania, Department of General Services, for Parcel A-1, 4th Ward, for \$1.00 (Pittsburgh Technology Center)<br>COMMENTS, Wednesday, September 28, 1988 | 1401 |
| Ferlo, Jim | Discussion - Bill No. 1141 - Vacating Scott Place, between Fort Duquesne Blvd. and Penn Avenue, 2nd Ward<br>REMARKS, Wednesday, September 14, 1988                                                                                                                        | 1334 |
| Ferlo, Jim | Discussion - Bill No. 1303 - Agreement with Consultant/s for the certification of Business Firms as Minority Owned of Women Owned for the City<br>Amending Resolution No. 558/85                                                                                          | 1348 |
| Ferlo, Jim | Discussion - Bill No. 1306 - Contract for the purchase of one (1) Mobile Seating Unit                                                                                                                                                                                     | 1349 |

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| Ferlo, Jim | Discussion - Bill No. 1337 - Lease with the Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center; also Bill No. 1338 - (Cooperation) agreement with the URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) dollar | 1354 |
| Ferlo, Jim | Discussion on the salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1357 |
| Ferlo, Jim | Reminder on the public hearing on Tuesday, September 20, 1988 dealing with automobile theft                                                                                                                                                                                                                                                                                                                                                                                                    | 1357 |
| Ferlo, Jim | Discussion concerning the public hearing concerning the human rights ordinance, Thursday, September 22, 1988, suggesting a time limit of two or three minutes for speaking and also requesting that city residents be given priority in speaking                                                                                                                                                                                                                                               | 1364 |
| Ferlo, Jim | Discussion - Bill No. 1400 - Performance Audit submitted by Tom Flaherty, City Controller, of the City's Purchasing System, including an examination of procedures for procuring services and commodities and assessment of the City's decentralized invoice payment system, dated September 19, 1988                                                                                                                                                                                          |      |
|            | Requesting a Post Agenda                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1373 |
| Ferlo, Jim | Possible cutbacks in the Department of Environmental Services, specifically the refuse workers and the number of crews                                                                                                                                                                                                                                                                                                                                                                         | 1378 |
| Ferlo, Jim | Post Agenda concerning the issue of the salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1378 |
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| Ferlo, Jim | Discussion - Bill No. 674 - Authorizing the Mayor to issue and the City Controller to countersign warrants for the purpose of establishing an Imprest Fund for investigation expenses for the Bureau of Police, Department of Public Safety Amending Ordinance 318/68 and Resolution 300/84 (SPONSORED BY MR. FERLO)                                    | 1397 |
| Ferlo, Jim | Discussion - Bill No. 677 - Directing the City Controller to create a Auto Theft Trust Fund for the deposit of cash and contributions from Insurance Companies (SPONSORED BY MR. FERLO)                                                                                                                                                                 | 1403 |
| Ferlo, Jim | Issue of filling the position of Budget Controller's position                                                                                                                                                                                                                                                                                           | 1409 |
| Ferlo, Jim | Discussion - Bill No. 1302 - An Ordinance amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person (SPONSORED BY MR. POLLOCK) | 1428 |
| Ferlo, Jim | REMARKS, Wednesday, October 5, 1988<br>Presentation - Bill No. 1520 - Declaring October 17-24, 1988 as "Eastside Week and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                                                                                                 | 1448 |
| Ferlo, Jim | Presentation - Bill No. 1521 - Welcoming the state and national officers of the United States Jaycees to Pittsburgh and recognizing that the week of October 17th marks the beginning of the Pittsburgh Jaycees Corporate Recruiting Drive                                                                                                              | 1449 |
| Ferlo, Jim | Discussion - VETO - Bill No. 454 - Resolution amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                              | 1458 |



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| Ferlo, Jim | Discussion - Bill No. 1450 - Agreement with Port Authority of Allegheny County for the renovation and repair of various bus lanes                                                                                                                                                                                                                                        |      |
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| Ferlo, Jim | Discussion - Recommit - Bill No. 1349                                                                                                                                                                                                                                                                                                                                    |      |
|            | Acquiring publicly owned property, Vinecliff Street, 18th Ward, Neighborhood Housing Fund; and also Recommit - Bill No. 1352 - Contract for Disposition of Land by and between URA and Gildas A. Kaib, Jr. for the sale of Block 4-C, Lot 94, and Block 4-G, Lots 249, 254, and 256 located on Vinecliff Street, 18th Ward for \$2,500.00 - Neighborhood Housing Fund    | 1465 |
| Ferlo, Jim | Discussion - Bill No. 1331 - (Cooperation) Agreement with the Housing Authority for the administration and implementation of the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" Program                                                                                                                                               |      |
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| Ferlo, Jim | Discussion - Bill No. 1429 - Authorizing the submission of an Enterprise Zone application with the Commonwealth of Pennsylvania, Department of Community Affairs for financial assistance for 1988                                                                                                                                                                       |      |
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| Ferlo, Jim | Discussion - Issue of tax reform for the City of Pittsburgh and the fact that it is bi-partisan and would help municipalities throughout the State in dealing with local tax problems; also urging the Mayor's Office and everyone else to try to take a more active role in pushing for state reform, by requesting a full-time lobbyist in Harrisburg on a daily basis | 1485 |

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| Ferlo, Jim     | Situation concerning the garbage pile at the City garage, requesting an explanation of why it is allowed to be out there for the last several weeks                                                                                                                                        | 1487        |
| Ferlo, Jim     | Presentation - Bill No. 1555 - Commending Mr. Edward J. Blotzer on his twenty-five years of service to the community in the noble effort to prevent cruelty to animals                                                                                                                     | 1490        |
| Ferlo, Jim     | Discussion - Bill No. 457 - An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Amusement Businesses, Chapter 777; Mechanical Amusement Devices, Section 777.05 - Licensed Fees, by changing the fee charged for video card game machines (SPONSORED BY MR. FERLO) | 1501        |
| Ferlo, Jim     | REMARKS, Wednesday, October 5, 1988                                                                                                                                                                                                                                                        | 1503        |
| Ferlo, Jim     | Discussion - Zoo's Master Plan                                                                                                                                                                                                                                                             | 1503        |
| Ferlo, Jim     | Discussion - Highland Park's situation regarding the park itself not having a budgeted line item for repairs                                                                                                                                                                               | 1504        |
| Ferlo, Jim     | Discussion - Suggesting that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion                                                                                                              | 1512        |
| Ferlo, Jim     | Discussion - Issue of tax reform and the possibility of a progressive system of taxation                                                                                                                                                                                                   | 1515        |
| Ferlo, Jim     | Discussion - Requesting from the Department of General Services the proposal relating to the hiring of consultants on the issue of Act 101 and its implementation                                                                                                                          | 1526        |
| Ferlo, Jim     | Discussion - Bill Nos. 1479, 1488, and 1500 - Warrants to Chamber Development Company for payment of rental of drop boxes and disposal of materials                                                                                                                                        | 1526        |
| Ferlo, Jim     | Voting No - Bill Nos. 1472, 1473, 1474 and 1475, regarding the transfer of funds from non-salary accounts to salary accounts                                                                                                                                                               | 1526        |

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| Ferlo, Jim | Discussion - Bill No. 1482 - Amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M. (SPONSORED BY MR. LYONS)                               | 1532 |
| Ferlo, Jim | FINED ONCE - Bill No. 1482 - Amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M. (SPONSORED BY MR. LYONS)                               | 1537 |
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| Ferlo, Jim | FINED THIRD TIME - Bill No. 1482 - Amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M. (SPONSORED BY MR. LYONS)                         | 1537 |
| Ferlo, Jim | Discussion - Bill No. 1490 - Contract for Work Station, etc. installation for the Department of General Services                                                                                                                                                                                                                                    | 1545 |
| Ferlo, Jim | Discussion - Bill No. 1434 - Changing the name of English Lane Field in Frick Park to Stanley Lederman Field (SPONSORED BY MR. WAGNER)                                                                                                                                                                                                              | 1547 |
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| Ferlo, Jim | Discussion - Requesting the elimination of the words "not to exceed" and keep the number or amount out by administrative order                                                                                                                                                                                                                                             | 1561 |
| Ferlo, Jim | Announcement of Public Hearing scheduled for Tuesday, November 1, 1988 at 10:00 A.M. the level playing field ordinance amending the City Contracts and at 2:00 P.M. the cutbacks in the Environmental Services workforce; both are televised                                                                                                                               | 1564 |
| Ferlo, Jim | Discussion - Bill No. 1536 - Acquisition of Publicly-owned property in the 6th Ward for the sum of \$1.00 under the Industrial Land Reserve Fund, and; also Bill No. 1537 Acquisition from CSX Transportation Inc. for approximately 9.80 Acres in the 6th Ward for the sum of \$700,000.00 under the Industrial Land Reserve Fund<br>REMARKS, Wednesday, November 2, 1988 | 1585 |
| Ferlo, Jim | Discussion - Bill No. 1563 - Contract for No. 15 Fire Station rehabilitation, located at Lemington and Missouri Streets<br>REMARKS, Wednesday, November 11, 1988                                                                                                                                                                                                           | 1605 |
| Ferlo, Jim | Comment - Mayor's Budget Address, 1989                                                                                                                                                                                                                                                                                                                                     | 1608 |
| Ferlo, Jim | Discussion - Bill No. 1595 - Agreement with a Consultant/s for Grant Street Reconstruction - Phase 4, construction inspection services<br>REMARKS, Wednesday, November 16, 1988                                                                                                                                                                                            | 1630 |
| Ferlo, Jim | Discussion - Budget items concerning Travel requests, the actual money spent and the approval procedure                                                                                                                                                                                                                                                                    | 1631 |
| Ferlo, Jim | Discussion - Budget items concerning the individual positions that are to receive bonuses and what the exact dollar figure will be                                                                                                                                                                                                                                         | 1631 |
| Ferlo, Jim | Discussion - Budget items concerning the possibility of doing little construction project in-house                                                                                                                                                                                                                                                                         | 1632 |
| Ferlo, Jim | Discussion - Budget items concerning the elimination of the Mayor's Service Center                                                                                                                                                                                                                                                                                         | 1632 |

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| Ferlo, Jim | Discussion - Budget items concerning interaction between Council and Department heads on line item expenses prior to the actual budget hearings                                                                                                                                                                                                                                                    | 1632 |
| Ferlo, Jim | Discussion - Amending Chapter 175 of the Art Commission to invoke including the Art Commission and the Architects Association in the placing of signs                                                                                                                                                                                                                                              | 1634 |
| Ferlo, Jim | Discussion - Bill No. 1725 - Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax                                                                                | 1640 |
| Ferlo, Jim | Discussion - Viewpoint of Council on the possible dismantling of the Public Safety Department                                                                                                                                                                                                                                                                                                      | 1650 |
| Ferlo, Jim | Discussion - Finance Chairperson should act as a clearing house for all suggestions that Council makes                                                                                                                                                                                                                                                                                             | 1651 |
| Ferlo, Jim | Presentation - Bill No. 1782 - Requesting the Mayor provide the authorization of police officers who have submitted their application for the police lieutenant promotional examination on December 14, 1988 and who are on duty at the time of the test to permitted on City time, to take this test at no lost time to the employee and return back to duty at the completion of the examination | 1656 |
| Ferlo, Jim | Comments - Bill No. 1647 - Lease Agreement with Calvary Communication, Inc., William A. Yocum, President, of a radio tower and equipment, to enhance radio coverage for the City's Radio System                                                                                                                                                                                                    |      |
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| Ferlo, Jim | Comments - Bill No. 1646 - Agreement for an Internship for graduate students to perform various energy related services for the Department of General Services<br>Amending Resolution No. 80/88<br>REMARKS, Wednesday, November 29, 1988                                                                                                                                              | 1675 |
| Ferlo, Jim | Voting No - Bill No. 1395 - Agreement with Performers, Instructors, Artists and other persons with specialized skills in connection with the Department of Parks and Recreation's Programs                                                                                                                                                                                            | 1679 |
| Ferlo, Jim | Requesting a formal letter from the Mayor to accompany any bill with an unusual situation                                                                                                                                                                                                                                                                                             | 1680 |
| Ferlo, Jim | Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                                                                                          | 1681 |
| Ferlo, Jim | Requesting Mr. Wagner to withdrawl his Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                                                   | 1686 |
| Ferlo, Jim | Discussion - VETO - Bill No. 1308<br>Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Cheif Auditor, Coontracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office<br>(SPONSORED BY MR. WAGNER) | 1693 |
| Ferlo, Jim | Comments - Bill No. 1712 - Disposition of Land by and between URA and Forbes Trail Company and/or Moose Medical Associates for the sale of Block 23L, Lot 101 for \$67,000.00, 22nd Ward                                                                                                                                                                                              | 1699 |
| Ferlo, Jim | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"<br>(SPONSORED BY MR. FERLO)                                                                                                   | 1703 |

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| Ferlo, Jim | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"<br>(SPONSORED BY MR. FERLO)<br>REMARKS, Wednesday, December 7, 1988                      | 1709 |
| Ferlo, Jim | Comments - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%)<br>REMARKS, Wednesday, December 14, 1988 | 1728 |
| Ferlo, Jim | Discussion - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%)                                        | 1737 |
| Ferlo, Jim | Discussion - Bill No. 1767 - Agreement for the hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh in the case of the Metropolitan Pittsburgh Crusade for Voters, et. al., verses the City of Pittsburgh, et. al.                                                                                  | 1745 |
| Ferlo, Jim | Comments - Bill No. 1603 - Conditional Use Exception to Shadyside Health, Education and Welfare for the construction of a five and seven story physican's office building and 827-stall parking garage; an eight story west wing and a two-story addition to the east wing, 7th Ward<br>REMARKS, Wednesday, December 14, 1988                    | 1754 |

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| Ferlo, Jim     | Discussion - Bill No. 1655 - An Ordinance supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713, 715, 717, 719, 721, 723, 763, 765, 771, 773, 775, 777, and 779, by raising certain fees                                                                                                                                                                                     | 1758        |
| Ferlo, Jim     | Voting No - Bill No. 1655 - An Ordinance supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713, 715, 717, 719, 721, 723, 763, 765, 771, 773, 775, 777, and 779, by raising certain fees                                                                                                                                                                                      | 1759        |
| Ferlo, Jim     | Discussion - Bill No. 1657 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods                                                                                                                                    | 1760        |
| Ferlo, Jim     | Voting No - Bill No. 1657 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods                                                                                                                                     | 1763        |
| Ferlo, Jim     | Discussion - Bill No. 1658 - An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles and; also Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification | 1767        |



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| Ferlo, Jim        | Veto - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                 | 1783 |
| Fischetti, John   | Presentation - Bill No. 1813 - Commending the Central Catholic High School and its State Champion Football Team and declaring the week of December 19 - 24, 1988 to be "Central Catholic Vikings State Football Championship Week"                                                         | 1725 |
| Flaherty, Captain | Acceptance - Bill No. 614 - Commending the firefighters and thanking them for their dedication in saving the lives of the people of Pittsburgh                                                                                                                                             | 630  |
| Flanagan, Rick    | Acceptance - Bill No. 1083 - Supporting the legislation in the Pennsylvania House of Representatives to secure \$200,000 from the Commonwealth of Pennsylvania to address the costs of demolishing unsalvageable dwellings and underwriting a portion of the expense to rehabilitate units | 1033 |
| Flores, Eduardo   | Greetings to Council from the Coordinator of the Agricultural Cooperative of San Ysidro, Nicaragua                                                                                                                                                                                         | 782  |
| Fuller, Milwaukee | Acceptance - Bill No. 479 - Joining the community celebration of the opening of the "Carbarn" and commending the HGGH Council for their contributions over the past 23 years                                                                                                               | 498  |
| Gabriel, John     | Acceptance - Bill No. 543 - Proclaiming the month of April, 1988 as "Fair Housing Month" in the City of Pittsburgh                                                                                                                                                                         | 537  |
| Gaetano, Lou      | Acceptance - Bill No. 40 - Commending Director Lou Gaetano of the Department of Public Works for moving forward in the field of improved technology                                                                                                                                        | 27   |

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| Gaetano, Lou       | Acceptance - Bill No. 41 - Commending all those involved in the Ashland Oil Crisis for the untiring effort to preserve safety, health and welfare to a large number of citizens                                                | 29   |
| Gaetano, Lou       | Acceptance - Bill No. 1270 - Congratulating the achievements and extending our best wishes for future voyages of the mighty "Citiworks" and its formidable crew                                                                | 1234 |
| Gallagher, Major   | Acceptance - Bill No. 1799 - Commending Civil Air Patrol for its ongoing dedication to our County and our young people and declaring the week of December 12-19, 1988, as "Civil Air Patrol Week"                              | 1690 |
| Gardner, William   | Presentation - Bill No. 544 - Proclaiming the week of April 10 -17, as AIDS AWARENESS WEEK in the City of Pittsburgh                                                                                                           | 538  |
| Gavin, Jack        | Comments - Bill No. 368 - Extending sincere wishes for the success of the Knights of Equity St. Patrick's Banquet and Dance                                                                                                    | 431  |
| Gentile, Bob       | Acceptance - Bill No. 926 - Recognizing the organizations committed to the eradication of illiteracy in the state of Pennsylvania                                                                                              | 895  |
| Gesus, Rita        | Acceptance - Bill No. 1812 - Proclaiming Monday, December 19, 1988 to honor and recognize Rita Gesue as a service-oriented humanitarian who continues to encourage the full citizen participation of the area's deaf community | 1724 |
| Gibbon, Doanld     | Comments - Bill No. 66 - Commending all those involved with the Pittsburgh-Donstak Exchange Project and thanking Donald Gibbon                                                                                                 | 64   |
| Gorenz, Toni       | Acceptance - Bill No. 367 - Recognizing the month of March, 1988 as "Hemophilia Month" and commending the members and officers of the Western Pennsylvania Chapter of the National Hemophilia Foundation                       | 430  |
| Gorman, Mary Alice | Acceptance - Bill No. 612 - Proclaiming April 17 - 24, as "Victim Rights Week"                                                                                                                                                 | 625  |

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| Guice, Reverend    | Acceptance - Bill No. 577 - Congratulating the Reverend Guice on the celebration of his fifth Pastoral Anniversary at Morningside Baptist Church                                                                                         | 599  |
| Gutkind, Richard   | Acceptance - Bill No. 336 - Declaring the week of March 13-19, 1988, as "National Middle Level Education Week"                                                                                                                           | 377  |
| Hanley, Magistrate | Oath of Office administered to Michael F. Coyne                                                                                                                                                                                          | 4    |
| Haramic, Mary Anne | Acceptance - Bill No. 663 - Declaring the week of April 24-30, as National Organ Donor Awareness Week                                                                                                                                    | 672  |
| Harper, James      | Acceptance - Bill No. 659 - Urging the Pittsburgh Public School Board to keep the doors of the Connelley Vocational Trade School                                                                                                         | 667  |
| Hart, Chief        | Acceptance - Bill No. 754 - Proclaiming May 21, 1988 as Armed Forces Day in the City of Pittsburgh                                                                                                                                       | 727  |
| Holbein, Mark      | Acceptance - Bill No. 826 - That Council finds that a potential threat exists to the river system supplies by the Pittsburgh Water and Sewer Authority                                                                                   | 783  |
| Hook, Carolyn      | Presentation - Bill No. 1520 - Declaring October 17-24, 1988 as "Eastside Week" and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                        | 1449 |
| Horder, Colonel    | Acceptance - Bill No. 754 - Proclaiming May 21, 1988 as Armed Forces Day in the City of Pittsburgh                                                                                                                                       | 727  |
| Iole, Pete         | Acceptance - Bill No. 212 - Urging the Pittsburgh Convention Exposition Center and the Pittsburgh Convention and Visitor Bureau to adopt PA Pitt as one of their official mascots                                                        | 235  |
| Jacob, Rabbi       | Benediction - Organization of the One Hundred and Twenty Fifth Council of the City of Pittsburgh                                                                                                                                         | 22   |
| Jacoby, George     | Presentation - Bill No. 481 - Congratulating Mayor Caliguiri on his successful accomplishments in securing financial support for the City and commending the Partnership for Medical Renaissance for their voluntary support to the City | 501  |

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| Jendzura, Father | Acceptance - Bill No. 961 - Supporting the KIDWATCH PROGRAM on their effort in serving the community                                                                                                                    | 934  |
| Johnson, Pamela  | Acceptance - Bill No. 962 - Commending Peabody High School Students to their participation in the Writing Workshop and acknowledging Ms. Pamela Johnson for her leadership in this project                              | 936  |
| Jordan, Mrs.     | Acceptance - Bill No. 613 - Recognizing Negro Educational Emergency Drive's 25th Anniversary celebration                                                                                                                | 627  |
| Julius, Al       | Acceptance - Bill No. 1654 - Commending XDKA-TV and Al Julius for their tremendous effort on behalf of Julius's Turkeys for Thanksgiving, 1988                                                                          | 1600 |
| Kaelin, Bill     | Presentation - Bill No. 1062 - Commending all the volunteers and those close to them who have given so much of themselves for AIDS research and recognizing all the area research groups dedicated to the study of AIDS | 1001 |
| Kane, Rita       | Administration of Oath of Office to Sophie Masloff                                                                                                                                                                      | 9    |
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| Kaufmann, Lt.    | Acceptance - Bill No. 1640 - Proclaiming the week of November 6 - 12, 1988 as "Marine Week" as a tribute to the 213th Anniversary of the United States Marine Corps                                                     | 1570 |
| Kelly, Sandra    | Acceptance - Bill No. 41 - Commending all those involved in the Ashland Oil Crisis for the untiring effort to preserve safety, health and welfare to a large number of citizens                                         | 29   |
| Kenna, Len       | Acceptance - Bill No. 270 - Proclaiming February 21, 1988 "Sheet Metal Craftmanship in the City of Pittsburgh on the occasion of the 100th Anniversary of the Sheet Metal Workers International Association             | 281  |
| Kenny, Annabelle | Acceptance - Bill No. 1555 - Commending Mr. Edward J. Blotzer on his twenty-five years of service to the community in the noble effort to prevent cruelty to animals                                                    | 1490 |

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| King, Mr.         | Acceptance - Bill No. 614 - Commending the firefighters and thanking them for their dedication in saving the lives of the people of Pittsburgh                                                                                                               | 630  |
| Kingdom, Roger    | Acceptance - Bill No. 1784 - Congratulating Roger Kingdom on winning his second gold medal in the 110 meter high hurdles at the 1988 Olympic Games in Seoul, South Korea                                                                                     | 1658 |
| Kosakowski, Leo   | Acceptance - Bill No. 615 - Declaring April 25 - May 1, to be North Catholic Trojanettes Champion Basketball Week in the City of Pittsburgh                                                                                                                  | 631  |
| Kovacs, Courteney | Acceptance - Bill No. 336 - Declaring the week of March 13-19, 1988, as "National Middle Level Education Week"                                                                                                                                               | 378  |
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| Laffenburger, Tom | Acceptance - Bill No. 1267 - Joining the Spring Garden Neighborhood Council and its constituency in the month of August, 1988, upon completion of a newly renovated facility at 1132 Spring Garden Avenue in designating the new facility as "Catalano Park" | 1197 |
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| Lease, Walter       | Acceptance - Bill No. 1127 - Recognizing<br>the achievement of Shannon Capasso and<br>congratulating her as she reigns as the<br>1988 Queen of Marbles                                                                                                                      | 1068 |
| Ledewitz, Bruce     | Acceptance - Bill No. 300 - Declaring<br>March 1, 1988 as Abolition Day in support<br>of House Bill 1103 and urges all<br>Pennsylvania Representatives to support<br>this pro-life legislation, without amendment                                                           | 338  |
| Legwin, Ronald, Fr. | Acceptance - Bill No. 438 - Congratulating<br>Bishop Donald W. Wuerl, S.T.D., D.D. in<br>this week of his installation as the eleventh<br>Bishop of the Diocese of Pittsburgh                                                                                               | 456  |
| Lightle, Mary A.    | Acceptance - Bill No. 269 - Re-examine<br>the decision to close the post office<br>on Walnut Street                                                                                                                                                                         | 279  |
| Little, Judge       | Oath of Office administered to Otis Lyons, Jr.                                                                                                                                                                                                                              | 4    |
| Lopez-Nix, Luci     | Acceptance - Bill No. 439 - Welcoming<br>Wilfredo Seda to Pittsburgh in recognition<br>of the vital role the Hispanic community<br>has played in the growth of Western<br>Pennsylvania                                                                                      | 457  |
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| Lyons, Otis         | Comments - Bill No. 67 - Welcoming<br>Patricia Hussey and Barbara Ferraro<br>to Pittsburgh and wishing them good<br>fortune in their struggle to remain<br>nuns - Separation of State and Church                                                                            | 67   |

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| Lyons, Otis | Discussion - Bill No.20 - Dickie, McCamey and Chilcore, P.C. for services for the City Controller                                                                                                                                                                                                                                    | 129  |
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| Lyons, Otis | Discussion - Bill No. 75 - Decreasing Code Account 57, Social Security Fund from \$5,586,400.00 to \$5,466,400.00 (SPONSORED BY MICHELLE MADOFF) and; Bill No. 76 - Adding the As Needed positions of Legal Consultant, Fiscal Consultant, and Engineering Consultant Amending Resolution No. 1093/87 (SPONSORED BY MICHELLE MADOFF) | 173  |
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| Lyons, Otis | Discussion - Bill No. 256 - Amending Rule IV of the Rules of Council to read: "At is organization meeting of thereafter Council shall by a majority vote of all Council Members, elect one member to serve as President Pro tempore for the for the ensuing term"; and by adding (b) "In the absence of the President and the President Pro tempore, the members shall elect a temporary President Pro tempore to Chair that meeting provided there be a quorum present." | 354  |
| Lyons, Otis | School Board; dismay of the approval of labor agreement without any indication of how the increase will be paid for; also the issue of residency                                                                                                                                                                                                                                                                                                                          | 370  |



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| Lyons, Otis | Discussion - Bill No. 276 - Purchase of<br>fuel for city owned vehicles                                                                                                                                               | 443  |
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| Lyons, Otis | Discussion - Bill No. 413 - Nomination of<br>South Side Pittsburgh Works, LTV Steel<br>Corporation to be a Historic Site under<br>Section 513 of Chapter 1007 of the<br>Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK) | 513  |
| Lyons, Otis | Presentation - Bill No. 543 - Proclaiming<br>the month of April, 1988 as "Fair Housing<br>Month" in the City of Pittsburgh                                                                                            | 537  |
| Lyons, Otis | Discussion - Bill No. 250 - Agreement for<br>Administration of City Worker's Compensation<br>Program for a period beginning July 1, 1988<br>to June 30, 1991                                                          | 551  |
| Lyons, Otis | Vandalism in the City, Brookline Pool,<br>West Penn Park and Leslie Park; reduce<br>potential of occurence                                                                                                            | 590  |

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| Lyons, Otis | Discussion - Bill No. 424 - Agreement with the Three Rivers Arts Festival for the furnishing of professional services in 1988                                                                                                                                                                                                                                                                                                                                                                              | 616  |
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| Lyons, Otis | Discussion - Bill No. 586 - Repealing Resolution No. 185 of 1988 for the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (J&L plant)                                                                                                                                                                                                                                                                                     | 639  |
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| Lyons, Otis | Discussion - Bill No. 601 - Agreement with<br>Lutheran Service Society for services in<br>connection with the U.S.D.A. Commodity<br>Distribution<br>(SPONSORED BY MR. WOODS)                                                                                                  | 719  |
| Lyons, Otis | Discussion - Motion to giving the President<br>Pro tem full powers of the Presidency<br>of Council                                                                                                                                                                            | 725  |
| Lyons, Otis | Discussion - Bill No 586 - Nominating the<br>South Side Pittsburgh Works, LTV Steel<br>Corporation to be a Historic Site under<br>Section 513 of Chapter 1007 of the<br>Pittsburgh Code<br>Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                        | 749  |
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| Lyons, Otis | Discussion - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                                                   | 911  |
| Lyons, Otis | Discussion - Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                                              | 919  |
| Lyons, Otis | Discussion on four salt domes, the site preparation and cost                                                                                                                                                                                                                        | 928  |
| Lyons, Otis | Comments - Motion - Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)c(3) by adding, "final recommendation shall require at least five affirmative votes of the appointed Commission members"                 | 949  |
| Lyons, Otis | Concern about the condition on the railroad track in Bloomfield for the moving of nuclear waste                                                                                                                                                                                     | 958  |
| Lyons, Otis | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 992  |
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| Lyons, Otis | Discussion - Bill No. 1003 - Filing of a Community Development statement with the U.S. Department of Housing for a grant in connection with the 1988 Community Development Block Grant Program to decrease line item (CC-88-10) "City Council Hunger Services Network" and increase line item (CC-88-01) City Council Pittsburgh Community Services (Hunger Program) Amending Resolution No. 448/88 | 1019 |
| Lyons, Otis | Letter to Mayor Masloff regarding the "Paramedic's Union Reject Proposal by City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                                                                                                                                                                                                                                   | 1027 |
| Lyons, Otis | Comments - Bill No. 1083 - Supporting the legislation in the Pennsylvania House of Representatives to secure \$200,000 from the Commonwealth of Pennsylvania to address the costs of demolishing unsalvageable dwellings and underwriting a portion of the expense to rehabilitate units                                                                                                            | 1033 |
| Lyons, Otis | Discussion - Bill No. 588 - Conditional use for Allegheny County Medical Society 713 Ridge Avenue, to expand facility to include, 701 Ridge Avenue for parking and 717 Ridge Avenue for an extension to the building                                                                                                                                                                                | 1056 |
| Lyons, Otis | Discussion regarding all the appropriations to various agencies with the ULO grants, concerning the predicament with the Ernest T. Williams Memorial Center finances, all should be audited or accountable                                                                                                                                                                                          | 1060 |
| Lyons, Otis | Discussion - Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz to the Commission on Human Relations, term to expire July, 1992 and; also Bill No. 1131 - Appointment of Floyd Titus to the Commission on Human Relations, term to expire July, 1992                                                                                                                                         | 1088 |

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| Lyons, Otis | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings | 1151 |
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| Lyons, Otis | Discussion - Dogs in public parks and on streets without leashes                                                                                                                                                                                                                                                                   | 1214 |
| Lyons, Otis | Discussion - Bill No. 1092 - Contract for Public Safety Facilities (various) renovations                                                                                                                                                                                                                                           |      |
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| Madoff, Michelle | Comments - Bill No. 874 - Communication from Tom Flaherty, submitting the Fiscal Audit of the Department of General Services, Warehouse Inventory, as of December 31, 1987 - Suggesting post agendas on audits          | 861  |
| Madoff, Michelle | Discussion - Bill No. 640 - Accounting Firm (Independent) to preform the annual audit for the City of Pittsburgh for the period of three (3) years, years ending December 31, 1988, 1989 and 1990                       | 866  |
| Madoff, Michelle | Comments - Bill No. 795 - Agreement or Contract for the design and construction of the Main Salt Storage Dome and Satellite Domes Amending Resolution No. 390/85                                                        | 882  |
| Madoff, Michelle | Comments - Bill No. 791 - Contract for Roof rehabilitation and Masonry painting of No. 5 Police/No. 8 Fire Station Amending Resolution No. 557/87                                                                       | 883  |
| Madoff, Michelle | Koppers' situation, trying to keep the jobs in this area - Letters sent to show Council's support                                                                                                                       | 887  |
| Madoff, Michelle | Presentation - Bill No. 926 - Recognizing the organizations committed to the eradication of illiteracy in the state of Pennsylvania                                                                                     | 894  |
| Madoff, Michelle | Discussion - Bill No. 904 - Incurring Lease Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount | 901  |
| Madoff, Michelle | Discussion - Bill No. 795 - Agreement for the Design and construction of the Main Salt Storage Dome and Satellite Domes Amending Resolution No. 390/85                                                                  | 905  |
| Madoff, Michelle | Discussion - Bill No. 847 - Providing for the filing of a petition for the sale of property acquired at tax sale in accordance with Act No. 171 of 1984 (Rescind Item F of Council Bill 847)                            | 910  |
| Madoff, Michelle | Discussion - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                       | 911  |

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| Madoff, Michelle | Discussion - Bill No. 456 - Directing the Mayor to prepare a year-end State of the Poor Report (SPONSORED BY MR. FERLO)                                                                                                                                          | 913  |
| Madoff, Michelle | Discussion - Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                           | 920  |
| Madoff, Michelle | Discussion - Bill No. 239 - An Ordinance amending the Pittsburgh Code, Title Nine, Zoning by changing from "R4", "C3", "M1" and "M3" to to "S", "R2-T" and "C3", property located at North Canal Street, Cedar Avenue, North Avenue and Vinial Street, 23rd Ward | 923  |
| Madoff, Michelle | Discussion - Bill No. 833 - Consultant/s for the implementation of the Swimming Pool Infrastructure Study                                                                                                                                                        | 926  |
| Madoff, Michelle | Discussion on four salt domes, the site preparation and cost                                                                                                                                                                                                     | 928  |
| Madoff, Michelle | LETTER to Peter A. Cohen from Jack Wagner in regards to the Koppers Company                                                                                                                                                                                      | 930  |
| Madoff, Michelle | Discussion - Bill No. 871 - Warrant to Burt, Seman and Hamilton for consulting services rendered to Michelle Madoff, in the amount of 250.00                                                                                                                     | 943  |
| Madoff, Michelle | Discussion - Bill No. 904 - Authorizing the City to incur a Lease Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount                    | 945  |
| Madoff, Michelle | Discussion - Bill No. 907 - Agreement with the Overbrook Community Council for services with their sponsorship of the Carrick High School Band performing in Washington, D.C. on the Fourth of July (SPONSORED BY MR. WAGNER)                                    | 947  |

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| Madoff, Michelle | Comments - Motion - Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)(3) by adding, "final recommendation shall require at least five affirmative votes of the appointed Commission members"                  | 948  |
| Madoff, Michelle | Discussion on the purchase and operation of the Pierce Tiller Truck for the Fire Department                                                                                                                                                                                         | 954  |
| Madoff, Michelle | Comments - Bill No. 869 - Formation of a municipal authority to be known as the City of Pittsburgh Equipment Leasing Authority<br>Amending Resolution No. 652/80<br>(SPONSORED BY MR. FERLO)<br>REMARKS - Wednesday, June 22, 1988                                                  | 979  |
| Madoff, Michelle | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 990  |
| Madoff, Michelle | City of Pittsburgh and Equitable Gas to do a pilot project to get pollution out of some of our automobiles                                                                                                                                                                          | 996  |
| Madoff, Michelle | Summer Jobs Program both public and private sector; Letter to Melanie Smith requesting she contact unemployment agencies to see what kind of jobs are available                                                                                                                     | 998  |
| Madoff, Michelle | Comments - Bill No. 1062 - Commending all the volunteers and those close to them who have given so much of themselves for AIDS research and recognizing all the area research groups dedicated to the study of AIDS                                                                 | 1000 |
| Madoff, Michelle | Discussion - Bill No. 1054 - VETO - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh                                                                                                                                                                     | 1010 |
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| Madoff, Michelle | Comments - Voting No - Bill No. 932 - Contract for sidewalk repairs, including Spring Garden Playground and; also, Bill No. 933 - Contract for Phipps Conservatory structural renovation                                                                                                 | 1022 |
| Madoff, Michelle | Letter to Mayor Masloff regarding the "Paramedic's Union Reject Proposal by City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                                                                                                                        | 1025 |
| Madoff, Michelle | Comments - Bill No. 1083 - Supporting the legislation in the Pennsylvania House of Representatives to secure \$200,000 from the Commonwealth of Pennsylvania to address the costs of demolishing unsalvageable dwellings and underwriting a portion of the expense to rehabilitate units | 1033 |
| Madoff, Michelle | Presentation - Bill No. 1084 - Welcoming the Slawek Walesa to Pittsburgh and further, offering a tribute to Karuzela, a polish song and dance ensemble                                                                                                                                   | 1035 |
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| Madoff, Michelle | Discussion - Bill No. 588 - Conditional use for Allegheny County Medical Society 713 Ridge Avenue, to expand facility to include, 701 Ridge Avenue for parking and 717 Ridge Avenue for an extension to the building                                                                     | 1057 |
| Madoff, Michelle | Discussion - Bill No. 904 - Incurring Lease Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount                                                                  | 1061 |
| Madoff, Michelle | Comments - Bill No. 971 - Contract for Roofing Systems replacement at various city facilities Amending Resolution No. 350/87                                                                                                                                                             | 1062 |
| Madoff, Michelle | Discussion - Bill No. 1012 - Contract for Burgwin Playground reconstruction and; also, Bill No. 1013 - Tustin Tot Lot reconstruction                                                                                                                                                     | 1086 |

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| Madoff, Michelle | Discussion - Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz to the Commission on Human Relations, term to expire July, 1992 and; also Bill No. 1131 - Appointment of Floyd Titus to the Commission on Human Relations, term to expire July, 1992                                                                        | 1088 |
| Madoff, Michelle | Comments - Bill No. 1160 - Proclaiming Tuesday, August 9, 1988 as "National Night Out" and encouraging citizens to participate in the kickoff parade scheduled for July 30, 1988                                                                                                                                                   | 1094 |
| Madoff, Michelle | Presentation - Bill No. 1161 - Extending congratulations to the people of San Isidro and warm wishes for success of the Pittsburgh San Isidro Roberto Clemente Sport Center                                                                                                                                                        | 1094 |
| Madoff, Michelle | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991                                                                                                                                                      | 1109 |
| Madoff, Michelle | Amending Resolution No. 222/88                                                                                                                                                                                                                                                                                                     | 1116 |
| Madoff, Michelle | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991                                                                                                                                                      | 1116 |
| Madoff, Michelle | Amending Resolution No. 222/88                                                                                                                                                                                                                                                                                                     | 1116 |
| Madoff, Michelle | REMARKS, July 29, 1987 and July 20, 1988                                                                                                                                                                                                                                                                                           | 1116 |
| Madoff, Michelle | Override Veto - Bill No. 708 - An Ordinance amending Title 10, Chapter 1013 of the Pittsburgh Code to allow public input into the building variance process                                                                                                                                                                        | 1147 |
| Madoff, Michelle | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings | 1150 |



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| Madoff, Michelle | Discussion - Bill No. 1021 - Agreement with the Pittsburgh Community Services, Inc. for the operation and implementation of a Citywide Food Distribution and Services Program (SPONSORED BY MR. FERLO)                                                               | 1162 |
| Madoff, Michelle | Discussion - Bill No. 1106 - Agreement with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus                                                                                                                      | 1174 |
| Madoff, Michelle | Letters to Mayor Sophie Masloff concerning Michelle's request to have her name removed from consideration for a reappointment to the Equipment Leasing Authority and letter to George Jacoby declining the appointment to the Board of the Water and Sewer Authority | 1183 |
| Madoff, Michelle | Discussion - Bill No. 1244 - Appointing Councilman Jack Wagner as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989                                                                                         | 1186 |
| Madoff, Michelle | Discussion - \$524 million dollars worth of airport bonds                                                                                                                                                                                                            | 1190 |
| Madoff, Michelle | Discussion - Bill No. 1265 - Urging the Mayor to immediately issue an Executive Order establishing a voter registration program                                                                                                                                      | 1196 |
| Madoff, Michelle | Discussion - Bill No. 1092 - Contract for Public Safety Facilities (various) renovations                                                                                                                                                                             | 1201 |
| Madoff, Michelle | Discussion - Bill No. 1116 - Agreement with Hospitals/Physicians for services in connection with the administration and evaluation of medical examination and test for Civil Service Commission's Medical Examination Program                                        | 1205 |
| Madoff, Michelle | Discussion - Bill No. 1132 - Warrant to Casciato Brothers in the amount of \$2,700.00 in payment for an Emergency Contract for demolition of property at 26 Montana Street                                                                                           |      |
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| Madoff, Michelle | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u><br>Amending Resolution No. 987/87<br>(SPONSORED BY MR. WOODS)<br>Letters to Mayor Caliguiri, dated June 2, 1987 and July 13, 1988        | 1221 |
| Madoff, Michelle | Legislature has gone into an emergency session to address the issue of tax reform<br>Letter sent to Legislators, July 14, 1988                                                                                                                                                                                                                            | 1230 |
| Madoff, Michelle | Override veto - Bill No. 1021 - Resolution authorizing an agreement to implement a "City-wide food distribution and services program" at a cost not to exceed \$200,000.00 and; also<br>Bill No. 1015 - Transferring the aggregate amount of \$200,000.00 from various code accounts to Code Account No. 1103, Misc. Service, Department of City Planning | 1237 |
| Madoff, Michelle | Override veto - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                          | 1241 |
| Madoff, Michelle | Health care programs including Blue Cross of Western Pennsylvania are planning to increase its drug prescription program for senior citizens effective September 1, 1988.<br>Letter requested to Governor Casey asking him to suspend the rate increases until a public hearing is held. Also requesting input on generic drugs                           | 1274 |
| Madoff, Michelle | Presentation - Bill No. 1327 - Recognizing the week of September 5th to 11th as "Women in Sports Week"                                                                                                                                                                                                                                                    | 1278 |

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| Madoff, Michelle | Discussion - Bill No. 1283 - Warrant to Gal Construction Company in the amount of \$195,372.55                                                                                                                                                                                                                                                                                                                                                                                                 |      |
|                  | REMARKS, Wednesday, September 14, 1988                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1323 |
| Madoff, Michelle | Discussion - Bill No. 1141 - Vacating Scott Place, between Fort Duquesne Blvd. and Penn Avenue, 2nd Ward                                                                                                                                                                                                                                                                                                                                                                                       |      |
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| Madoff, Michelle | Discussion - Bill No. 1303 - Agreement with Consultant/s for the certification of Business Firms as Minority Owned of Women Owned for the City                                                                                                                                                                                                                                                                                                                                                 |      |
|                  | Amending Resolution No. 558/85                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1348 |
| Madoff, Michelle | Discussion - Bill No. 1304 - Grant Contract with Urban Consortium Energy Task Force (UCETF) in connection with the Alternative Vehicle Fuel Usage Project                                                                                                                                                                                                                                                                                                                                      |      |
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| Madoff, Michelle | Discussion - Bill No. 1282 - Agreement with Greenfield Cougars for professional services in connection with their football program (SPONSORED BY MR. COYNE)                                                                                                                                                                                                                                                                                                                                    |      |
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| Madoff, Michelle | Discussion - Bill No. 1337 - Lease with the Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center; also Bill No. 1338 - (Cooperation) agreement with the URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) dollar |      |
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| Madoff, Michelle | Discussion on the salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1359 |
| Madoff, Michelle | Discussion on the salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      |
|                  | Letter from Mr. Ferio to Glenn M. Cannon, Director, Department of Public Safety, dated September 9, 1988                                                                                                                                                                                                                                                                                                                                                                                       | 1360 |
| Madoff, Michelle | Presentation - Bill No. 1406 - Recognizing the week of September 26th as "Child Support Awareness Week" and commending the Allegheny County Family Division for the work they have done in the collection of child support                                                                                                                                                                                                                                                                     |      |
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| Madoff, Michelle | Comments - Bill No. 1331 - (Cooperation) Housing Authority for the administration and implementation of the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" Program                                                                                                                                                   | 1374 |
| Madoff, Michelle | Possible cutbacks in the Department of Environmental Services, specifically the refuse workers and the number of crews                                                                                                                                                                                                                                  | 1379 |
| Madoff, Michelle | Proposing that budget discussions begin about April or May                                                                                                                                                                                                                                                                                              | 1380 |
| Madoff, Michelle | Problem that is being created by the situation of only eight (8) members of Council - not enough people to assure that there would be five votes or six votes if necessary to override a veto                                                                                                                                                           | 1381 |
| Madoff, Michelle | Post Agenda on Wednesday, September 28, 1988 at 1:30 P.M. to discuss the Buhl Science Center                                                                                                                                                                                                                                                            | 1383 |
| Madoff, Michelle | Discussion of the wage tax, City of Pittsburgh's wage tax is 2.215 and the School Board has a 1.9 wage tax                                                                                                                                                                                                                                              | 1384 |
| Madoff, Michelle | Post Agenda on Wednesday, September 28, 1988 at 1:30 P.M. to discuss the Buhl Science Center                                                                                                                                                                                                                                                            | 1385 |
| Madoff, Michelle | Discussion - Bill No. 1444 - Declaring the week of October 9-15, 1988 as "Fire Prevention Week"                                                                                                                                                                                                                                                         | 1389 |
| Madoff, Michelle | Tax Reform issue - the wage tax is precieved as four (4%) percent even though Pittsburgh's wage tax is 2.215 and the School Board has a 1.9 wage tax                                                                                                                                                                                                    | 1406 |
| Madoff, Michelle | Tax Reform issue - the wage tax is precieved as four (4%) percent even though Pittsburgh's wage tax is 2.215 and the School Board has a 1.9 wage tax                                                                                                                                                                                                    | 1408 |
| Madoff, Michelle | Discussion - Bill No. 1302 - An Ordinance amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person (SPONSORED BY MR. POLLOCK) | 1441 |

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| Madoff, Michelle | Discussion - Bill No. 457 - An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.05 - Licensed Fees, by changing the fee charged for video card game machines (SPONSORED BY MR. FERLO) | 1501 |
| Madoff, Michelle | Discussion - Lack of plan in the City, the County or State for management of storm drainage in our creeks, due to the situation occurring at this time along Streets Run and Glass Run in the 31st Ward                                                                                    | 1502 |
| Madoff, Michelle | Discussion - Reservoir covers                                                                                                                                                                                                                                                              | 1506 |
| Madoff, Michelle | Discussion - Suggesting that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion                                                                                                              | 1506 |
| Madoff, Michelle | Discussion - Issue of tax reform and the ability to prioritize tax dollars                                                                                                                                                                                                                 | 1507 |
| Madoff, Michelle | Discussion - Highland Park's situation regarding the park itself not having a budgeted line item for repairs                                                                                                                                                                               | 1507 |
| Madoff, Michelle | Discussion - Refuse pick-up costs for the future becoming astronomical                                                                                                                                                                                                                     | 1507 |
| Madoff, Michelle | Discussion - Requesting from Public Works the rationale as to why various streets are being repaved such as Shady Avenue                                                                                                                                                                   | 1508 |
| Madoff, Michelle | Discussion - Issue of tax reform and the possibility of a graduated occupation tax                                                                                                                                                                                                         | 1510 |
| Madoff, Michelle | Discussion - Suggesting that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion; suggesting the position of Marketing Coordinator to be put in the 1989 Budget                               | 1515 |
| Madoff, Michelle | Discussion - Requesting from the Department of General Services the proposal relating to the hiring of consultants on the issue of Act 101 and its implementation                                                                                                                          | 1515 |
| Madoff, Michelle | Discussion - Bill Nos. 1479, 1488, and 1500 Warrants to Chamber Development Company for payment of rental of drop boxes and disposal of materials                                                                                                                                          | 1527 |

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| Madoff, Michelle | Discussion - Bill Nos. 1479, 1488, and 1500<br>Warrants to Chamber Development Company<br>for payment of rental of drop boxes and<br>disposal of materials<br>Changing vote from an abstention to aye                                                                                                                                                                      | 1527 |
| Madoff, Michelle | Discussion - Bill No. 1482 - Amending the<br>Pittsburgh Code, Title One, Administrative,<br>Article V, Legislative, Chapter 151,<br>Council, Section 151.01 (a) Regular and<br>Special Meetings by changing the day of<br>the Regular Meeting of Council, from<br>Monday at 2:00 P.M. to Tuesday at<br>10:00 A.M. - changing time to 2:00 P.M.<br>(SPONSORED BY MR. LYONS) | 1531 |
| Madoff, Michelle | Discussion - Bill No. 1490 - Contract for<br>Work Station, etc. installation for the<br>Department of General Services                                                                                                                                                                                                                                                     | 1546 |
| Madoff, Michelle | Discussion - Bill No. 1530 - Bloomfield<br>Pool, Recreation Center, Outdoor<br>Recreation and Dean Field renovations to<br>cover additional allocation will be used<br>to cover costs of purchase and installation<br>of artificial turf at Dean Field<br>Amending Bill No. 1379/88<br>(SPONSORED BY MR. FERLO)                                                            | 1557 |
| Madoff, Michelle | Discussion - Requesting the elimination of the<br>words "not to exceed" and keep the number<br>or amount out by administrative order                                                                                                                                                                                                                                       | 1559 |
| Madoff, Michelle | Discussion - Local Tax Reform rally in<br>Harrisburg, Tuesday, November 15, 1988                                                                                                                                                                                                                                                                                           | 1564 |
| Madoff, Michelle | Discussion - Bill No. 1574 - Transferring<br>7,000.00 from Code Account 10, Accounts<br>Payable Prior Years to Code Account 1802,<br>Supplies, Department of Parks and Recreation<br>(SPONSORED BY MR. WAGNER)<br>REMARKS, Wednesday, November 2, 1988                                                                                                                     | 1579 |

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| Madoff, Michelle | Discussion - Bill No. 1557 - Amending the 1988 Capital Budget by increasing EC 88-30 by \$125,000.00 to cover the emergency replacement of the roof on the Aqua Zoo and adjusting the summary total Amending Resolution No. 1094/88 and, also; Bill No. 1558 - Pittsburgh Aqua Zoo renovations                                                                                                | 1592 |
| Madoff, Michelle | Amending Resolution No. 362/88                                                                                                                                                                                                                                                                                                                                                                | 1608 |
| Madoff, Michelle | Comment - Mayor's Budget Address, 1989                                                                                                                                                                                                                                                                                                                                                        | 1608 |
| Madoff, Michelle | Discussion - Allowing a councilmember to continuously address two or three items at a time without input from other Councilmembers                                                                                                                                                                                                                                                            | 1633 |
| Madoff, Michelle | Discussion - Amending Chapter 175 of the Art Commission to invoke including the Art Commission and the Architects Association in the placing of signs                                                                                                                                                                                                                                         | 1634 |
| Madoff, Michelle | Discussion - Defense on her absences from Council's meetings                                                                                                                                                                                                                                                                                                                                  | 1636 |
| Madoff, Michelle | Discussion - Bill No. 1725 - Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax                                                                           | 1641 |
| Madoff, Michelle | Discussion - Budget Items - Grants person; 255-INFO - Public Service Announcements; and Police Officers contributing 10% towards their medical services                                                                                                                                                                                                                                       | 1649 |
| Madoff, Michelle | Discussion - Finance Chairperson should let Council know the appropriate time to introduce various items not included                                                                                                                                                                                                                                                                         | 1651 |
| Madoff, Michelle | Discussion - Bill No. 1718 - Amendment to Rule VIII of the Rules of Council which will call for all bills to be deposited to the Clerk of Council by 12:00 noon Friday, prior to the Regular Meeting of Council with the exception that any member may present any bill or paper notwithstanding said rule, with the consent of the majority of the members present at any meeting of Council | 1669 |

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| Madoff, Michelle | Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                                                                                     | 1682 |
| Madoff, Michelle | Comments - Problem with the billing going back over the years on the sewage treatment plant                                                                                                                                                                                                                                                                                      | 1687 |
| Madoff, Michelle | Discussion - VETO - Bill No. 1308 - Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Contracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office (SPONSORED BY MR. WAGNER) | 1692 |
| Madoff, Michelle | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                                 | 1700 |
| Madoff, Michelle | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                                 | 1720 |
| Madoff, Michelle | Discussion - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%)                                                                        | 1736 |
| Madoff, Michelle | Discussion - Bill No. 1763 - Issuance of a warrant to Peat Marwick Main and Company in the amount of \$34,870.00                                                                                                                                                                                                                                                                 | 1742 |



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| Madoff, Michelle | Discussion - Bill No.1767 - Agreement for the hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh in the case of the Metropolitan Pittsburgh Crusade for Voters, et. al., verses the City of Pittsburgh, et. al.                                                         | 1744 |
| Madoff, Michelle | Discussion - Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, schedule of Towing Fees, by changing the fee schedule to be applied to each classification                                                             | 1766 |
| Madoff, Michelle | Discussion - Bill No. 1734 - Contract for Melancthon Street Pedestrian Bridge rehabilitation                                                                                                                                                                                                                           | 1769 |
| Madoff, Michelle | Abstaining - Bill No. 1734 - Contract for Melancthon Street Pedestrian Bridge rehabilitation                                                                                                                                                                                                                           | 1770 |
| Madoff, Michelle | Discussion - Bill No. 1683 - Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1989 by amending the Office of the City Controller to decrease the proposed change of \$69,442.00 for as-needed positions | 1773 |
| Madoff, Michelle | Veto - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                             | 1788 |
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| Masloff, Sophie | Appointments of Chairpersons:<br>Finance - Mark Pollock<br>Public Works - Ben Woods<br>Planning, Housing and Development - Otis Lyons, Jr.<br>General Services - Michelle Madoff<br>Water - Jim Ferlo<br>Parks and Recreation - Michael Coyne<br>Public Safety - Jack Wagner<br>Engineering and Construction - Eugene DePasquale<br>Hearing and Cable - Sophie Masloff | 22   |
| Masloff, Sophie | Appointments to Board of Trustees of Carnegie<br>Library: Jack Wagner, Mark Pollock,<br>Otis Lyons, Jr. and Sophie Masloff;<br>also the Board of Trustees to Buhl<br>Planetarium: Michael Coyne                                                                                                                                                                        | 22   |
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| Masloff, Sophie | Comments - Bill No. 41 - Commending all<br>those involved in the Ashland Oil Crisis<br>for the untiring effort to preserve safety,<br>health and welfare to a large number<br>of citizens                                                                                                                                                                              | 30   |
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| Masloff, Sophie | Comments - Bill No. 28 - Communication from Mark Pollock, amending the Rules of Council, deleting a portion of Rule VIII(a) and inserting "Printed copies shall be delivered to each Council Members Office"                                                                                                                         |      |
|                 | Letter dated January 6, 1988                                                                                                                                                                                                                                                                                                         | 82   |
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| Masloff, Sophie | Discussion - Bill No. 75 - Decreasing Code Account 57, Social Security Fund from \$5,586,400.00 to \$5,466,400.00 (SPONSORED BY MICHELLE MADOFF) and; Bill No. 76 - Adding the As Needed positions of Legal Consultant, Fiscal Consultant, and Engineering Consultant Amending Resolution No. 1093/87 (SPONSORED BY MICHELLE MADOFF) | 172  |
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| Masloff, Sophie | Discussion - Bill No. 271 - Cablecast all public hearings properly held under Section 320 of the Home Rule Charter and resolving five or members of Council may vote to not cablecast and such public hearing                                                                                                                        | 325  |
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| Masloff, Sophie | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK)                                                  | 511  |
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| Masloff, Sophie | Discussion - Bill No. 250 - Agreement for Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                                        | 551  |
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| Masloff, Sophie | Introduction of Amy Ballinger                                                                                                                                                                                                                              | 665  |
| Masloff, Sophie | Presentation - Bill No. 660 - Congratulating Goodwill Industries of Pittsburgh receiving a State Service Awards and proclaiming Tuesday, April 26, 1988 as Older Worker Recognition Day                                                                    | 668  |

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| Masloff, Sophie    | Presentation - Bill No. 663 - Declaring the week of April 24-30, as National Organ Donor Awareness Week                                                                                                                           | 672  |
| Masloff, Sophie    | Discussion on the motion to untable Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments Term to expire April, 1991                                                                                             | 679  |
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| Mayhak, Mike       | Acceptance - Bill No. 335 - Urging the Pennsylvania Department of Transportation to retain and rehabilitate both sidewalks of the West End Bridge                                                                                 | 376  |
| Mazicone, Bob      | Acceptance - Bill No. 1724 - Proclaiming Thursday, December 1, 1988, as World AIDS Day in the City of Pittsburgh                                                                                                                  | 1638 |
| McCauley, Barbara  | Acceptance - Bill No. 1062 - Commending all the volunteers and those close to them who have given so much of themselves for AIDS research and recognizing all the area research groups dedicated to the study of AIDS             | 1000 |
| McConnell, Suzie   | Acceptance - Bill No. 1639 - Commending the accomplishment of Suzie McConnell and thanking her for the recognition she has brought the City of Pittsburgh by bringing home the gold as a member of the United States Olympic Team | 1568 |
| McFadden, Sergeant | Acceptance - Bill No. 1343 - Recognizing the week of September 15, 1988 as "DARE DAY" in conjunction with "National Dare Day"                                                                                                     | 1292 |
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| McNamara, Pat       | Acceptance - Bill No. 757 - Recognizing<br>May 15-22, 1988 as Police Memorial Week<br>in recognition to the Officers who have<br>made the sacrifice of their precious<br>lives for the cause of justice                                 | 730  |
| McNutt, Dave        | Acceptance - Bill No. 757 - Recognizing<br>May 15-22, 1988 as Police Memorial Week<br>in recognition to the Officers who have<br>made the sacrifice of their precious<br>lives for the cause of justice                                 | 731  |
| Milinski, Walt      | Acceptance - Bill No. 578 - Congratulating<br>the Seton-LaSalle organization on winning<br>their first PIAA Triple A Championship<br>and applauds everyone efforts                                                                      | 601  |
| Miller, David       | Acceptance - Bill No. 827 - Wishing the<br>Duquesne Incline a Happy 111th Birthday                                                                                                                                                      | 786  |
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| Murphy, Captain     | Acceptance - Bill No. 754 - Proclaiming<br>May 21, 1988 as Armed Forces Day in the<br>City of Pittsburgh                                                                                                                                | 727  |
| Mushinsky, Jim      | Presentation - Bill No. 442 - Congratulating<br>Fred G. Zangaro for his induction into the<br>Minor League Football Hall of Fame                                                                                                        | 460  |
| Novak, Gloria       | Acceptance - Bill No. 662 - Proclaiming<br>the week of April 24-30, 1988 as "A<br>Celebration of the Northside" in honor<br>of the North Side Leadership Conference                                                                     | 669  |
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| O'Brien, Judge      | Oath of Office administered to Jim Ferlo                                                                                                                                                                                                | 4    |
| Palmer-Phelps, Rose | Acceptance - Bill No. 1406 - Recognizing<br>the week of September 26th as "Child<br>Support Awareness Week" and commending<br>the Allegheny County Family Division<br>for the work they have done in the<br>collection of child support | 1368 |

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| Parliamentarian   | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. POLLOCK)                                        | 513  |
| Parliamentarian   | Discussion - Motion to Reconsider - Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review, term to expire April, 1991 (Can not reconsider)                                                                              | 662  |
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| Paulasky, Joni    | Acceptance - Bill No. 615 - Declaring April 25 - May 1, to be North Catholic Trojanettes Champion Basketball Week in the City of Pittsburgh                                                                                                   | 632  |
| Pellegrini, Dante | Legal Opinion - VETO - Bill No. 454 - Resolution amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO) | 1457 |
| Perry, Michael    | Organization of the One Hundred and Twenty Fifth Council of the City of Pittsburgh                                                                                                                                                            | 1    |
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| Perry, Michael | Introduction of Honorable W. Terrence<br>O'Brien, Judge, Court of Common Pleas                                                                                                                                                                                                                                                                          | 4    |
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| Perry, Michael | Introduction of Honorable Leonard W. Boehm,<br>District Magistrate for the 29th<br>and 32nd Wards                                                                                                                                                                                                                                                       | 5    |
| Perry, Michael | Introduction of Honorable Lawrence W.<br>Kaplan, Judge, Court of Common Pleas                                                                                                                                                                                                                                                                           | 5    |
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| Perry, Michael | Presentation of Sophie Masloff as the<br>President of the Council of the City<br>of Pittsburgh                                                                                                                                                                                                                                                          | 9    |
| Perry, Michael | Introduction of Honorable Rita Wilson<br>Kane, Register of Wills                                                                                                                                                                                                                                                                                        | 9    |
| Perry, Michael | Comments - Bill No. 28 - Communication<br>from Mark Pollock, amending the Rules of<br>Council, deleting a portion of Rule VIII(a)<br>and inserting "Printed copies shall be<br>delivered to each Council Members Office"<br>Letter dated January 6, 1988                                                                                                | 83   |
| Perry, Michael | Discussion on authorization to hire a Legal<br>Advisor, Engineer and Fiscal Analyst                                                                                                                                                                                                                                                                     | 86   |
| Perry, Michael | Discussion - Motion to appoint Ben Woods,<br>President Pro-Tem of City Council                                                                                                                                                                                                                                                                          | 113  |
| Perry, Michael | Legal opinion on Alcosan situation                                                                                                                                                                                                                                                                                                                      | 146  |
| Perry, Michael | Discussion - non-binding resolution -<br>Independent counsel providing<br>it doesn't increase the future budget                                                                                                                                                                                                                                         | 220  |
| Perry, Michael | Discussion - Bill No. 237 - Amending<br>Rule XII of the Rules of Council to<br>read: "No rule of the the Council shall<br>be amended or changed, except by a<br>majority vote of the members elected<br>thereto, and after one week's previous<br>notice to the members in writing of<br>such change desired to be effected<br>(SPONSORED BY MR. FERLO) | 349  |



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| Perry, Michael | Once a roll call quorum is established,<br>is the quorum maintained throughout the<br>meeting?<br>Reply: Yes, except the passage of legis-<br>lation requires five (5) members; down<br>to two, one person can not conduct a<br>meeting                                                                               |            |
| Perry, Michael | Exception of Wednesday Committee Meeting<br>Presentation - Bill No. 578 - Congratulating<br>the Seton-LaSalle organization on winning<br>their first PIAA Triple A Championship and<br>applauding everyone's efforts                                                                                                  | 426<br>600 |
| Perry, Michael | Procedure - Bill No. 565 - Amending the<br>Pittsburgh Code, Title Ten - Building,<br>Chapter 1007, Section 513, et. seq.<br>- Special Historic Buildings and Districts,<br>by providing for added protection during the<br>designation process; referred to the Board of<br>Code Review<br>(SPONSORED BY MR. POLLOCK) | 606        |
| Perry, Michael | Discussion - Bill No. 586 - Repealing Resolution<br>No. 185 of 1988 for the South Side Pittsburgh<br>Works, LTV Steel Corporation to be a Historic<br>Site under Section 513 of Chapter 1007 of the<br>Pittsburgh Code (J&L plant)<br>(SPONSORED BY MR. FERLO)                                                        | 638        |
| Perry, Michael | Discussion Bill No. 495 - Appointment<br>of John Noonan, to the Board of Adjustments<br>Term to expire April, 1991                                                                                                                                                                                                    | 646        |
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| Perry, Michael | Discussion - Bill No. 720 - Making certain<br>additions and corrections to the<br>Appropriations for 1988<br>Amending Resolution No. 1092/87                                                                                                                                                                          | 826        |
| Perry, Michael | Discussion on excusing absent members                                                                                                                                                                                                                                                                                 | 856        |
| Perry, Michael | Presentation - Bill No. 927 - Proclaiming<br>the month of June, 1988 as "National Zoo<br>and Aquarium Month" in the City of Pittsburgh                                                                                                                                                                                | 895        |

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| Perry, Michael | Comments - Motion - Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)c(3) by adding, final recommendation shall require at least five affirmative votes of the appointed Commission members"                                                                                                                                  | 950  |
| Perry, Michael | Legislation was sent to the Board of Code Review, one on the plastic issue and two on the reforming of the Board of Adjustments process; requires 45 days for them to respond                                                                                                                                                                                                                       | 969  |
| Perry, Michael | Discussion - Bill No. 1003 - Filing of a Community Development statement with the U.S. Department of Housing for a grant in connection with the 1988 Community Development Block Grant Program to decrease line item (CC-88-10) "City Council Hunger Services Network" and increase line item (CC-88-01) City Council Pittsburgh Community Services (Hunger Program) Amending Resolution No. 448/88 | 1019 |
| Perry, Michael | Discussion on the salver contract Letter Glenn M. Cannon, Director, Department of Public Safety, to Michael Perry, City Clerk in response to Mr. Ferlo's letter, dated 9-12-88                                                                                                                                                                                                                      | 1361 |
| Pitts, Clifton | Acceptance - Bill No. 479 - Joining the community celebration of the opening of the "Carbarn" and commending the HGGH Council for their contributions over the past 23 years                                                                                                                                                                                                                        | 498  |
| Pollock, Mark  | Comments - Bill No. 41 - Commending all those involved in the Ashland Oil Spill for the untiring effort to preserve safety, health and welfare to a large number of citizens Acknowledging the Dravo Corporation                                                                                                                                                                                    | 32   |
| Pollock, Mark  | Discussion on Amendment to Bill No. 29 - Adding the following sections to the other authorization language to allow 4 percent wage increase for non-union employees and elected officers Amending Resolution No. 1093/87 by deleting the members of Council                                                                                                                                         | 38   |

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| Pollock, Mark | Discussion - Bill No. 42 - Resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power, and that City Council hereby authorize the City Solicitor to petition the Court of Common Pleas for their removal | 50   |
| Pollock, Mark | Smithsonians Touring Exhibit "From Field to Factory, The Afro-American Migration From 1915 to 1940, displayed at Carnegie Mellon University                                                                                                                                             | 62   |
| Pollock, Mark | Comments - Bill No. 66 - Commending all those involved with the Pittsburgh-Donstak Exchange Project and thanking Donald Gibbon                                                                                                                                                          | 64   |
| Pollock, Mark | Comments - Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns - Separation of State and Church                                                                                                    | 67   |
| Pollock, Mark | Bill No. 28 - Communication from Mark Pollock, amending the Rules of Council, deleting a portion of Rule VIII(a) and inserting "Printed copies shall be delivered to each Council Members Office"                                                                                       | 82   |
| Pollock, Mark | Letter dated January 6, 1988                                                                                                                                                                                                                                                            | 88   |
| Pollock, Mark | Discussion on authorization to hire a Legal Advisor, Engineer and Fiscal Analyst                                                                                                                                                                                                        | 91   |
| Pollock, Mark | Asking Council to deplore racial attacks (Lawrenceville Incident 1-18) Send Letter to Christopher Solomon expressing regret over incident                                                                                                                                               | 93   |
| Pollock, Mark | Discussion on televising:<br>Post Agenda - Concerns on about the conditions of Aliquippa Terrace<br>Post Agenda - Expiration of refuse collection and landfill                                                                                                                          | 97   |
| Pollock, Mark | Shadyside's parking problem, requesting hearing on subject                                                                                                                                                                                                                              | 97   |
| Pollock, Mark | Post Agenda Items that merit a public hearing should be requested at post agenda                                                                                                                                                                                                        | 100  |
| Pollock, Mark | Thursday, January 21, 1988, National Boxing and Budweiser King of Beers Night                                                                                                                                                                                                           | 113  |
| Pollock, Mark | Discussion - Motion to appoint Ben Woods, President Pro-Tem of City Council                                                                                                                                                                                                             |      |

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| Pollock, Mark | Withdraw nomination as President Pro-Tem of City Council                                                                                                                                                                                                          | 123  |
| Pollock, Mark | Discussion - Bill No.20 - Dickie, McCamey and Chilcore, P.C. for services for the City Controller                                                                                                                                                                 | 127  |
| Pollock, Mark | Amendment - Bill No. 11 - Motorized Fire Equipment for the Department of General Services Amending Resolution No. 281/87                                                                                                                                          | 134  |
| Pollock, Mark | Legal Opinion - Requesting a ruling on the Home Rule Charter; appointments to Boards and Commissions                                                                                                                                                              | 150  |
| Pollock, Mark | Discussion - non-binding resolution - Independent counsel providing it doesn't increase the future budget                                                                                                                                                         | 218  |
| Pollock, Mark | Situation concerning 911 - post agenda                                                                                                                                                                                                                            | 229  |
| Pollock, Mark | Discussion - Bill No. 100 - Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City Amending Resolution No. 1215/82 (SPONSORED BY MR. FERLO)                    | 248  |
| Pollock, Mark | Discussion - Alcosan Issue - Legal Opinion in reference to the issue of Alcosan and the appointments of Council Letter to Mayor Caliguiri 2-15-88                                                                                                                 | 272  |
| Pollock, Mark | Discussion - Bill No. 269 - Re-examine the decision to close the post office on Walnut Street                                                                                                                                                                     | 278  |
| Pollock, Mark | Discussion - Bill No. 100 - Agreement with the Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City Amending Resolution No. 1215/82 (SPONSORED BY MR. FERLO) | 302  |
| Pollock, Mark | Letter sent to all those involved with the President's budget proposals; expressing opposition to proposed cuts and elimination of UDAG Grants and CDBG Funding                                                                                                   | 320  |

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| Pollock, Mark | Discussion - Bill No. 271 - Cablecast all public hearings properly held under Section 320 of the Home Rule Charter and resolving five or members of Council may vote to not cablecast and such public hearing                                                                                                                      | 325  |
| Pollock, Mark | Discussion - Bill No. 300 - Declaring March 1, 1988 as Abolition Day in support of House Bill 1103 and urges all Pennsylvania Representatives to support this pro-life legislation, without amendment                                                                                                                              | 337  |
| Pollock, Mark | Discussion - Bill No. 237 - Amending Rule XII of the Rules of Council to read: "No rule of the the Council shall be amended or changed, except by a majority vote of the members elected thereto, and after one week's previous notice to the members in writing of such change desired to be effected<br>(SPONSORED BY MR. FERLO) | 350  |
| Pollock, Mark | Comments - Bill No. 336 - Declaring the week of March 13-19, 1988, as "National Middle Level Education Week"                                                                                                                                                                                                                       | 378  |
| Pollock, Mark | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days                                                                         | 388  |
| Pollock, Mark | Discussion - Bill No. 225 - An agreement with the American Wind Symphony for 1987 services Amending Resolution No. 74/87                                                                                                                                                                                                           | 413  |
| Pollock, Mark | Once a roll call quorum is established, is the quorum maintained throughtout the meeting?<br>Reply: Yes, except the passage of legis-lation requires five (5) members; down to two, one person can not conduct a meeting<br>Exception of Wednesday Committee Meeting                                                               | 426  |
| Pollock, Mark | Discussion - Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                                                                               | 442  |

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| Pollock, Mark | Presentation - Bill No. 482 - Commending Governor Casey for nominating Joseph Rhodes to the Public Utility Commission and urging the Senate to confirm this nomination, also; requesting copies sent to the appropriate members of the Senate | 502  |
| Pollock, Mark | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK)                                     | 515  |
| Pollock, Mark | Smoking Ordinance takes effect on April 9, thanking individuals involved in the implementation and enforcement                                                                                                                                | 529  |
| Pollock, Mark | Sunday, April 10 the Pittsburgh Public Theatre will present the Second Annual Benefit Performance for the benefit of the Pittsburgh AIDS Task Force; extending thanks for their support                                                       | 530  |
| Pollock, Mark | Presentation - Bill No. 544 - Proclaiming the week of April 10 -17, as AIDS AWARENESS WEEK in the City of Pittsburgh                                                                                                                          | 538  |
| Pollock, Mark | Presentation - Bill No. 545 - Commending the Lung Health Study at the University of Pittsburgh School of Medicine                                                                                                                             | 540  |
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| Pollock, Mark | Procedure - Bill No. 565 - Amending the Pittsburgh Code, Title Ten - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process; referred to the Board of Code Review (SPONSORED BY MR. POLLOCK) | 606  |
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| Pollock, Mark | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u><br>Amending Resolution No. 987/87<br>(SPONSORED BY MR. WOODS)                                   | 1223 |
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| Pollock, Mark | Discussion - Highland Park's situation regarding the park itself not having a budgeted line item for repairs and the Graffiti bill including a provision for rewards                                                                                                                                                                                                                              | 1503 |
| Pollock, Mark | Discussion - Suggesting that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion                                                                                                                                                                                                                     | 1505 |
| Pollock, Mark | Presentation - Bill No. 1592 - Proclaiming October 31 - November 6, 1988 as "Schenley -Israeli Teen International Exchange Week                                                                                                                                                                                                                                                                   | 1518 |
| Pollock, Mark | Presentation - Bill No. 1593 - Expressing deep gratitude to Eileen Mulder for her lifetime of service and devotion to the people of Pittsburgh                                                                                                                                                                                                                                                    | 1519 |
| Pollock, Mark | Bill No. 1491 - Authorizing the participation by the City of Pittsburgh in Pittsburgh Crime Stoppers, Inc.<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                                                                                                                                          | 1551 |
| Pollock, Mark | REMARKS, Wednesday, October 26, 1988<br>Discussion - Bill No. 1574 - Transferring 7,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1802, Supplies, Department of Parks and Recreation<br>(SPONSORED BY MR. WAGNER)                                                                                                                                                     | 1579 |
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| Pollock, Mark | Presentation - Bill No. 1782 - Requesting the Mayor provide the authorization of police officers who have submitted their application for the police lietenant promotional examination on December 14, 1988 and who are on duty at the time of the test to permitted on City time, to take this test at no lost time to the employee and return back to duty at the completion of the examination | 1656 |

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| Pollock, Mark | Comments - Motion Mr. Pollock introduced upon coming to Council to televise public hearings in the neighborhood; the motion was never entertained                                                                                                                                                         | 1687                     |
| Pollock, Mark | Presentation - Bill No. 1799 - Commending Civil Air Patrol for its ongoing dedication to our County and our young people and declaring the week of December 12-19, 1988, as "Civil Air Patrol Week"                                                                                                       | 1690                     |
| Pollock, Mark | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"                                                   | (SPONSORED BY MR. FERLO) |
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| Pollock, Mark | Discussion - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%) | 1725                     |
| Pollock, Mark | Discussion - Bill No. 1763 - Issuance of a warrant to Peat Marwick Main and Company in the amount of \$34,870.00                                                                                                                                                                                          | 1735                     |
| Pollock, Mark | Discussion - Bill No. 1767 - Agreement for the hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh in the case of the Metropolitan Pittsburgh Crusade for Voters, et. al., verses the City of Pittsburgh, et. al.                                           | 1742                     |
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| Pollock, Mark   | Discussion - Bill No. 1657 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods                                                                                                                                    | 1761 |
| Pollock, Mark   | Discussion - Bill No. 1658 - An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles and; also Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification | 1765 |
| Pollock, Mark   | Veto - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                                                                                     | 1791 |
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| Reicher, Leslie | Presentation - Bill No. 1520 - Declaring October 17-24, 1988 as "Eastside Week" and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                                                                                                                                                                                                              | 1449 |

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| Richard, Brother | Acceptance - Bill No. 578 - Congratulating the<br>Seton-LaSalle organization on winning their<br>first PIAA Triple A Championship and<br>applauds everyone efforts                                                                                                  | 601  |
| Richardson, Mr.  | Acceptance - Bill No. 1162 - Supporting<br>House Bill 4727 (Comprehensive National<br>Housing) and calling upon the Congressional<br>Delegation for support                                                                                                         | 1096 |
| Risoldi, Shirley | Acceptance - Bill No. 178 - Commending<br>Bell of Pennsylvania for its continuing<br>efforts and urge the PUC to approve the<br>restriction of dial-a-porn lines                                                                                                    | 195  |
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| Robinson, Bill   | Acceptance - Bill No. 613 - Recognizing<br>Negro Educational Emergency Drive's 25th<br>Anniversary celebration                                                                                                                                                      | 628  |
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| Root, Dean       | Acceptance - Bill No. 756 - Commending<br>the American Association of Museums<br>for its time and dedication by declaring<br>the week of June 3-7 as "Museum Week<br>in Pittsburgh"                                                                                 | 729  |
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| Roth, Jim        | Acceptance - Bill No. 270 - Proclaiming<br>February 21, 1988 "Sheet Metal Craftmanship<br>in the City of Pittsburgh on the occassion of<br>the 100th Anniversary of the Sheet Metal Workers<br>International Association - presentation of a<br>statue to the Mayor | 281  |

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| Schnieder, Lt.    | Acceptance - Bill No. 1799 - Commending Civil Air Patrol for its ongoing dedication to our County and our young people and declaring the week of December 12-19, 1988, as "Civil Air Patrol Week"                                                                                                                  | 1690 |
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| Wagner, Jack | Comments - Bill No. 196 - Transferring \$40,000.00 from C.A. 57, Social Security Fund to C.A. 1001-2, Salaries, Wages and Services of Council, as needed (SPONSORED BY MICHELLE MADOFF)                                                                                        | 297  |
| Wagner, Jack | Discussion - Bill No. 100 - Agreement with the Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City Amending Resolution No. 1215/82 (SPONSORED BY MR. FERLO)              | 303  |
| Wagner, Jack | Letter from paramedics (EMT's) regarding the new test given by the Civil Service Commission                                                                                                                                                                                    | 320  |
| Wagner, Jack | Requesting a written response from the Civil Service Commission concerning the firefighters exam being given on a Wednesday instead of a Saturday                                                                                                                              | 321  |
| Wagner, Jack | Discussion - Bill No. 271 - Cablecast all public hearings properly held under Section 320 of the Home Rule Charter and resolving five or members of Council may vote to not cablecast and such public hearing                                                                  | 324  |
| Wagner, Jack | Issue concerning employees of the School Board who are not City residents                                                                                                                                                                                                      | 329  |
| Wagner, Jack | Discussion - Bill No. 300 - Declaring March 1, 1988 as Abolition Day in support of House Bill 1103 and urges all Pennsylvania Representatives to support this pro-life legislation, without amendment                                                                          | 341  |
| Wagner, Jack | Discussion - Bill No. 247 - Amending Rule VIII of the Rules of Council to read: "(c.) All amendments made to any bill proposing an ordinance or resolution can be voted on without being in writing before the final vote is taken on the bill" (SPONSORED BY MICHELLE MADOFF) | 348  |

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| Wagner, Jack | Discussion - Bill No. 237 - Amending Rule XII of the Rules of Council to read: "No rule of the the Council shall be amended or changed, except by a majority vote of the members elected thereto, and after one week's previous notice to the members in writing of such change desired to be effected<br>(SPONSORED BY MR. FERLO)                                                                                                                                         | 351  |
| Wagner, Jack | Discussion - Bill No. 256 - Amending Rule IV of the Rules of Council to read: "At its organization meeting of thereafter Council shall by a majority vote of all Council Members, elect one member to serve as President Pro tempore for the for the ensuing term"; and by adding (b) "In the absence of the President and the President Pro tempore, the members shall elect a temporary President Pro tempore to Chair that meeting provided there be a quorum present." | 352  |
| Wagner, Jack | Discussion - Bill No. 186 - Contract for P.J. McArdle Roadway Sidewalk Rehabilitation                                                                                                                                                                                                                                                                                                                                                                                      | 361  |
| Wagner, Jack | Discussion - Bill No. 206 - Amending the Capital Budget by creating a new line item (EC 88-65 "Troy Hill Fire Station No. 9 Rehabilitation)<br>Amending Resolution No. 1094/88<br>(SPONSORED BY MR. WOODS)<br>REMARKS, February 24, 1988                                                                                                                                                                                                                                   | 363  |
| Wagner, Jack | Comments - Duquesne Light Company's proposed 75% (percent) rate increase<br>Requesting letter to the PUC                                                                                                                                                                                                                                                                                                                                                                   | 366  |
| Wagner, Jack | School Board; dismay of the approval of labor agreement without any indication of how the increase will be paid for;<br>also the issue of residency                                                                                                                                                                                                                                                                                                                        | 371  |
| Wagner, Jack | Bill No. 301 - Appointment of Robert Watson, City Court for a term to expire March, 1992<br>Comments and interview from March 2, 1988                                                                                                                                                                                                                                                                                                                                      | 374  |
| Wagner, Jack | Comments - Bill No. 335 - Urging the Pennsylvania Department of Transportation to retain and rehabilitate both sidewalks of the West End Bridge                                                                                                                                                                                                                                                                                                                            | 376  |

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| Wagner, Jack | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) year at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days<br>REMARKS and slide show presentation from March 2, 1988 | 395  |
| Wagner, Jack | Discussion - Bill No. 240 - Authorizing an agreement with the URA for administration of City Programs and Projects                                                                                                                                                                                                   | 411  |
| Wagner, Jack | Discussion - Bill No. 225 - An agreement with the American Wind Symphony for 1987 services<br>Amending Resolution No. 74/87<br>REMARKS, March 2, 1988                                                                                                                                                                | 413  |
| Wagner, Jack | Comments - Bill No. 187 - An agreement for the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building<br>Amending Resolution No. 933/86                                                                                                          | 424  |
| Wagner, Jack | Requesting post agenda session, Wednesday, March 9, 1988 at 1:00 P.M. regarding the City Contract for fuel for City vehicles<br>In favor of debating during meeting                                                                                                                                                  | 427  |
| Wagner, Jack | Comments - Bill No. 368 - Extending sincere wishes for the success of the Knights of Equity St. Patrick's Banquet and Dance                                                                                                                                                                                          | 431  |
| Wagner, Jack | Discussion - Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                                                                 | 441  |
| Wagner, Jack | Request for the Department of Parks and Recreation determine a site for a golf driving range within the City of Pittsburgh                                                                                                                                                                                           | 452  |
| Wagner, Jack | Presentation - Bill No. 442 - Congratulating Fred G. Zangaro for his induction into the Minor League Football Hall of Fame                                                                                                                                                                                           | 460  |
| Wagner, Jack | Concerning the public hearing held on the proposed Mon Valley Expressway, formally requesting a letter sent to the PA Turnpike Commission to evaluate the status of the proposed highway that is to connect somewhere with the Parkway East                                                                          | 471  |

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| Wagner, Jack | Discussion - Bill No. 276 - Agreement for professional services relative to the purchase of fuel for city owned vehicles                                                                                    | 480  |
| Wagner, Jack | Discussion on the drug and other related problems on Trent Street in the Hill District                                                                                                                      | 488  |
| Wagner, Jack | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. POLLOCK)      | 514  |
| Wagner, Jack | Presentation - Bill No. 546 - Supporting the efforts of Governor Casey and Mayor Caliguiri to thwart the unfriendly take-over and assist to ensure Koppers Company, Inc. remains a Pittsburgh based company | 541  |
| Wagner, Jack | Discussion - Bill No. 250 - Agreement for Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                         |      |
| Wagner, Jack | REMARKS, Wednesday, March 30, 1988                                                                                                                                                                          | 551  |
| Wagner, Jack | Comments - Bill No. 373 - Agreement with Catalyst Marketing and Advertising for the furnishing of professional services in 1988                                                                             |      |
| Wagner, Jack | REMARKS, Wednesday, March 30, 1988                                                                                                                                                                          | 577  |
| Wagner, Jack | Vandalism in the City, Brookline Pool, West Penn Park and Leslie Park; reduce potential of occurrence                                                                                                       | 591  |
| Wagner, Jack | Supporting the efforts to thwart the unfriendly take-over and assist to ensure Koppers Company, Inc. remains a Pittsburgh based company; Listing people to write in protest                                 | 592  |
| Wagner, Jack | Concerning the LTV Works, Southside J&L Works; Historic Landmark                                                                                                                                            |      |
| Wagner, Jack | Letter sent to David Carroll                                                                                                                                                                                | 593  |
| Wagner, Jack | Continual problems of 911 whether or not there is total accuracy in the system or a management problem                                                                                                      | 594  |
| Wagner, Jack | Presentation - Bill No. 576 - Wishing the 1988 Pirates a successful season as they continue their climb to the top of the baseball world                                                                    | 598  |

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| Wagner, Jack | Presentation - Bill No. 578 - Congratulating the Seton-LaSalle organization on winning their first PIAA Triple A Championship and applauds everyone efforts                                                            | 601  |
| Wagner, Jack | Discussion - Bill No. 424 - Agreement with the Three Rivers Arts Festival for the furnishing of professional services in 1988                                                                                          | 615  |
| Wagner, Jack | Issue of the Fifth Avenue Bus Lane and the people who have been killed there                                                                                                                                           |      |
|              | Notify Port Authority and Public Safety and requesting legal opinion                                                                                                                                                   | 622  |
| Wagner, Jack | LTV presentation about the present condition of the LTV South Side and J & L Works, Wednesday, April 13, 1988                                                                                                          | 623  |
| Wagner, Jack | Issue of the Fifth Avenue Bus Lane and the people who have been killed there                                                                                                                                           |      |
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| Wagner, Jack | Koppers update meeting, Wednesday, April 13 at 1:30                                                                                                                                                                    | 624  |
| Wagner, Jack | Comments - Bill No. 612 - Proclaiming April 17 - 24, as "Victim Rights Week"                                                                                                                                           | 626  |
| Wagner, Jack | Presentation - Bill No. 615 - Declaring April 25 - May 1, to be North Catholic Trojanettes Champion Basketball Week in the City of Pittsburgh                                                                          | 631  |
| Wagner, Jack | Discussion - Bill No. 586 - Repealing Resolution No. 185 of 1988 for the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (J&L plant) |      |
|              | (SPONSORED BY MR. FERLO)                                                                                                                                                                                               | 637  |
| Wagner, Jack | Discussion - Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments                                                                                                                                    |      |
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| Wagner, Jack | Discussion - Bill No 501 - Reappointment of Arthur Schock, to the Board of Code Review                                                                                                                                 |      |
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| Wagner, Jack | Recommendation of the following appointments:<br>Bill No. 503 - Appointment of Anna Marie<br>Guzman to the Board of Code Review<br>Term to expire April, 1991; also<br>Bill No. 504 - Appointment of Stephen<br>Cohen, to the Art Commission<br>For the term of the Mayor; also<br>Bill No. 506 - Appointment of Mark<br>William, to the Art Commission<br>For the term of the Mayor; also<br>Bill No. 547 - Appointment of Walter<br>Sims, to the Art Commission<br>For the term of the Mayor | 650  |
| Wagner, Jack | Discussion - Bill No. 512 - Agreement with<br>Consultant/s for design services in connection<br>with Renovations to the Bloomfield Pool,<br>Recreation Center and Outdoor Recreation<br>Amending Resolution No. 93/87                                                                                                                                                                                                                                                                          | 658  |
| Wagner, Jack | Discussion - Motion to Reconsider -<br>Bill No. 503 - Appointment of Anna Marie<br>Guzman to the Board of Code Review,<br>Term to expire April, 1991                                                                                                                                                                                                                                                                                                                                           | 662  |
| Wagner, Jack | Presentation - Bill No. 661 - Recognizing<br>and saluting the thirty-seven (37)<br>honorees who will retire from the City<br>Police Force this year                                                                                                                                                                                                                                                                                                                                            | 669  |
| Wagner, Jack | Discussion on the motion to untable<br>Bill No. 495 - Appointment of John<br>Noonan, to the Board of Adjustments<br>Term to expire April, 1991                                                                                                                                                                                                                                                                                                                                                 | 680  |
| Wagner, Jack | Vandalism in various city parks, possible<br>implementation of the Park Police Patrol                                                                                                                                                                                                                                                                                                                                                                                                          | 691  |
| Wagner, Jack | Comments - Bill No. 699 - Commending<br>Ed Walkowski for his contributions to the<br>City of Pittsburgh and wishing him well<br>in his future endeavors                                                                                                                                                                                                                                                                                                                                        | 700  |
| Wagner, Jack | Presentation - Bill No. 700 - Thanking Sergeant<br>Charles A. Brown, U.S.M.C., for his<br>contributions to the City and wishing him<br>success in his new assignment                                                                                                                                                                                                                                                                                                                           | 701  |

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| Wagner, Jack | Discussion - Bill No. 692 - VETO<br>Communication from Mayor Richard Caliguiri<br>Bill No. 310 - Prohibiting the transfer of<br>funds to various authorities until such time<br>as the authorities adopt a City of Pittsburgh<br>Residency Requirement for their employees                                                   | 712  |
| Wagner, Jack | Discussion - Bill No. 601 - Agreement with<br>Lutheran Service Society for services in<br>connection with the U.S.D.A. Commodity<br>Distribution<br>(SPONSORED BY MR. WOODS)                                                                                                                                                 | 719  |
| Wagner, Jack | Situation concerning the paramedics and<br>the 911 system's problem                                                                                                                                                                                                                                                          | 722  |
| Wagner, Jack | Discussion - Motion to giving the President<br>Pro tem full powers of the Presidency<br>of Council                                                                                                                                                                                                                           | 725  |
| Wagner, Jack | Presentation - Bill No. 754 - Proclaiming<br>May 21, 1988 as Armed Forces Day in the<br>City of Pittsburgh                                                                                                                                                                                                                   | 727  |
| Wagner, Jack | Presentation - Bill No. 757 - Recognizing<br>May 15-22, 1988 as Police Memorial Week<br>in recognition to the Officers who have<br>made the sacrifice of their precious<br>lives for the cause of justice                                                                                                                    | 730  |
| Wagner, Jack | Comments - Bill No. 631 - Warrant to A & H<br>Equipment Company in the amount of<br>7,191.73 for the installation of<br>neighborhood street signs<br>REMARKS, Wednesday May 4, 1988                                                                                                                                          | 741  |
| Wagner, Jack | Discussion - Bill No 586 - Nominating the<br>South Side Pittsburgh Works, LTV Steel<br>under Section 513 of Chapter 1007 of the<br>Pittsburgh Code<br>Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                                                                                                            | 754  |
| Wagner, Jack | Discussion - Bill No. 643 - An Ordinance<br>supplementing the Pittsburgh Code, Title<br>Five, Traffic, Chapter 547, Transit Vehicles<br>and Taxicabs by adding Section 547.01(c)<br>requiring the installation of crash<br>attenuators on all safety islands<br>(SPONSORED BY MR. WAGNER)<br>REMARKS, Wednesday, May 4, 1988 | 761  |

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| Wagner, Jack | Discussion - Bill No. 643 - An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands (SPONSORED BY MR. WAGNER) | 762  |
| Wagner, Jack | Comments - Bill No. 644 - Agreement with Chemical People Institute/Duquesne University for services in connection with their Alcohol and Drug Prevention and Education Program (SPONSORED BY MR. WAGNER)                                                                |      |
| Wagner, Jack | REMARKS, Wednesday, May 4, 1988<br>Requesting that Mr. Alex Sculli be included as a member of the Water and Sewer Authority                                                                                                                                             | 770  |
| Wagner, Jack | Presentation - Bill No. 827 - Wishing the Duquesne Incline a Happy 111th Birthday                                                                                                                                                                                       | 779  |
| Wagner, Jack | Discussion - Bill No. 632 - Agreement and/or contract to manufacture, supply, install and provide necessary services related to new street signs<br>Amending Resolution No. 1041/87<br>REMARKS, Wednesday, May 18, 1988                                                 | 785  |
| Wagner, Jack | Situation concerning the purchase of radios for the Department of Public Safety<br>Requesting Post Agenda for Wednesday, June 1, at 2:00 P.M.                                                                                                                           | 804  |
| Wagner, Jack | Discussion - Motion proposing that Monday Meetings be held at 10:00 A.M. instead of 2:00 P.M. from May 31, until Labor Day, 1988                                                                                                                                        | 849  |
| Wagner, Jack | Comments - Bill No. 734 - Granting unto Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward<br>REMARKS, Wednesday, June 1, 1988                                              | 855  |
| Wagner, Jack | Discussion - Bill No. 786 - Agreement with Port Authority whereby they shall have permission to utilize a portion of the Zoo Parking Lot #2 as a "designated Park-N-Ride Area"<br>REMARKS, Wednesday, June 1, 1988                                                      | 869  |
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| Wagner, Jack | Koppers' situation, trying to keep the jobs in this area - Letters sent to show Council's support                                                                                                                                                                  | 889  |
| Wagner, Jack | Discussion - Bill No. 795 - Agreement for the Design and construction of the Main Salt Storage Dome and Satellite Domes Amending Resolution No. 390/85                                                                                                             | 906  |
| Wagner, Jack | Discussion - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                                  | 911  |
| Wagner, Jack | Discussion - Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                             |      |
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| Wagner, Jack | LETTER to Peter A. Cohen from Jack Wagner, in regards to the Koppers Company                                                                                                                                                                                       | 929  |
| Wagner, Jack | Comments - Bill No. 961 - Supporting the KIDWATCH PROGRAM on their effort in serving the community                                                                                                                                                                 | 935  |
| Wagner, Jack | Discussion - Bill No. 907 - Agreement with the Overbrook Community Council for services with their sponsorship of the Carrick High School Band performing in Washington, D.C. on the Fourth of July (SPONSORED BY MR. WAGNER)                                      |      |
|              | REMARKS, Wednesday, June 15, 1988                                                                                                                                                                                                                                  | 947  |
| Wagner, Jack | Comments - Motion - Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)(3) by adding, "final recommendation shall require at least five affirmative votes of the appointed Commission members" | 950  |
| Wagner, Jack | Discussion on the purchase and operation of the Pierce Tiller Truck for the Fire Department - Independent evaluation by Underwriters Lab                                                                                                                           | 956  |
| Wagner, Jack | Comments - Bill No. 869 - Formation of a municipal authority to be known as the City of Pittsburgh Equipment Leasing Authority Amending Resolution No. 652/80 (SPONSORED BY MR. FERLO)                                                                             |      |
|              | REMARKS - Wednesday, June 22, 1988                                                                                                                                                                                                                                 | 979  |

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| Wagner, Jack | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 992  |
| Wagner, Jack | Public Hearing on Strategy 21 Funding requesting to attend: Ray Christman, Economic Development of Pennsylvania, Director Lurcott, Department of City Planning, Ex. Director Donahoe, URA, ChcuK Kolling, Harrisburg Lobbyist and Mr. Mark Zabierek                                 | 995  |
| Wagner, Jack | Letter to Mayor Masloff regarding the "Paramedic's Union Reject Proposal by City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                                                                                                                   | 1027 |
| Wagner, Jack | Presentation - Bill No. 1085 - Welcoming the Veterans of Foreign Wars and Ladies Auxiliary to Pittsburgh and extending sincere thanks for the past and continuing contributions                                                                                                     | 1036 |
| Wagner, Jack | Discussion - Bill No. 905 - Agreement with Pittsburgh Steelers Sports, Inc., the Stadium Authority of the City of Pittsburgh and consented to be Pittsburgh Baseball Associates                                                                                                     | 1039 |
| Wagner, Jack | REMARKS - Wednesday, July 6, 1988<br>Presentation - Bill No. 1127 - Recognizing the achievement of Shannon Capasso and congratulating her as she reigns as the 1988 Queen of Marbles                                                                                                | 1067 |
| Wagner, Jack | Presentation - Bill No. 1128 - Supporting the efforts of the Pittsburgh Water and Sewer Authority to maintain the present water allocation based on strategic location in the Metropolitan area                                                                                     | 1069 |
| Wagner, Jack | Discussion - Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz to the Commission on Human Relations, term to expire July, 1992 and; also Bill No. 1131 - Appointment of Floyd Titus to the Commission on Human Relations, term to expire July, 1992                         | 1089 |

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| Wagner, Jack | Presentation - Bill No. 1163 - Commending the General Chairman of the Three Rivers Regatta, Eugene F. Connelly and honoring the late beloved Mayor Richard S. Caliguiri, 1988 "Riverperson of the Year"                                                                                                                            | 1097 |
| Wagner, Jack | Presentation - Bill No. 1164 - Saluting the accomplishment of Suzie McConnell and wishing her success in becoming a member of the United States Olympic Team                                                                                                                                                                       | 1099 |
| Wagner, Jack | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 Amending Resolution No. 222/88                                                                                                                       | 1109 |
| Wagner, Jack | Discussion - Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 Amending Resolution No. 222/88                                                                                                                       | 1127 |
| Wagner, Jack | REMARKS, Wednesday, July 20, 1988                                                                                                                                                                                                                                                                                                  | 1127 |
| Wagner, Jack | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings | 1151 |
| Wagner, Jack | Discussion - Bill No. 1021 - Agreement with the Pittsburgh Community Services, Inc. for the operation and implementation of a Citywide Food Distribution and Services Program (SPONSORED BY MR. FERLO)                                                                                                                             | 1164 |
| Wagner, Jack | REMARKS - Wednesday, July 27, 1988                                                                                                                                                                                                                                                                                                 | 1164 |
| Wagner, Jack | Discussion - Bill No. 1243 - Appointing Councilman Jim Ferlo as a member of the Pittsburgh Equipment Leasing Authority for a term to expire January 1, 1993                                                                                                                                                                        | 1184 |
| Wagner, Jack | Discussion - Bill No. 1244 - Appointing Councilman Jack Wagner, as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989                                                                                                                                                      | 1189 |

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| Wagner, Jack | Discussion - Supporting a letter going from Council to the City Administration regarding the City's salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1193 |
| Wagner, Jack | Discussion - Placing an American Flag on the outside of the City-County Building                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1194 |
| Wagner, Jack | Presentation - Bill No. 1266 - Proclaiming Saturday, August 6, 1988 as "Dave Carver Day" in the Crafton Heights area of the City of Pittsburgh                                                                                                                                                                                                                                                                                                                                                                                                                 | 1196 |
| Wagner, Jack | Discussion - Bill No. 1151 - Equibank (Merchant Agreement) for the implementation of a Visa/Mastercard payment program at the City Towpound                                                                                                                                                                                                                                                                                                                                                                                                                    |      |
|              | REMARKS - Wednesday, August 3, 1988                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1214 |
| Wagner, Jack | Discussion - Bill No. 1213 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of the City Council (SPONSORED BY MR. WAGNER), and; also Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor (SPONSORED BY MR. WAGNER) | 1215 |
| Wagner, Jack | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u> Amending Resolution No. 987/87 (SPONSORED BY MR. WOODS)                                                                                                                                                                                                                                                                                       | 1224 |
| Wagner, Jack | Override Veto - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                                                                                                                                                                                                                               | 1244 |

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| Wagner, Jack | Discussion - Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor<br>(SPONSORED BY MR. WAGNER)      | 1256 |
| Wagner, Jack | Discussion - Bill No. 1257 - Agreement with Homewood Brushton Stinger Athletic Club for services in connection with their Football Program<br>(SPONSORED BY MR. LYONS)                                                                                                               | 1268 |
| Wagner, Jack | Health care programs including Blue Cross of Western Pennsylvania are planning to increase its drug prescription program for senior citizens effective September 1, 1988. Letter requested to Governor Casey asking him to suspend the rate increases until a public hearing is held | 1274 |
| Wagner, Jack | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991<br>REMARKS, Wednesday, September 7, 1988                                                                                                             | 1296 |
| Wagner, Jack | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                      | 1299 |
| Wagner, Jack | Discussion regarding the use of Chambers during council meetings as a vehicle for anyone to talk politics                                                                                                                                                                            | 1315 |
| Wagner, Jack | Discussion - Bill No. 1282 - Agreement with Greenfield Cougars for professional services in connection with their football program<br>(SPONSORED BY MR. COYNE)<br>REMARKS, Wednesday, September 14, 1988                                                                             | 1350 |
| Wagner, Jack | Discussion concerning the public hearing concerning the human rights ordinance, Thursday, September 22, 1988, suggesting a time limit of two or three minutes for speaking and also requesting that city residents be given priority in speaking                                     | 1365 |



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| Wagner, Jack | Problem that is being created by the situation of only eight (8) members of Council - not enough people to assure that there would be five votes or six votes if necessary to override a veto                                                                                                                                                                                                     | 1381         |
| Wagner, Jack | Discussion of the wage tax, City of Pittsburgh's wage tax is 2.215 and the School Board has a 1.9 wage tax                                                                                                                                                                                                                                                                                        | 1382         |
| Wagner, Jack | Post Agenda on Wednesday, September 28, 1988 at 1:30 P.M. to discuss the Buhl Science Center                                                                                                                                                                                                                                                                                                      | 1383         |
| Wagner, Jack | Discussion on the 12th Annual Great Race and requesting information on the real costs of the event                                                                                                                                                                                                                                                                                                | 1383         |
| Wagner, Jack | Presentation - Bill No. 1445 - Proclaiming October 6, 1988 as "German American Day"                                                                                                                                                                                                                                                                                                               | 1389         |
| Wagner, Jack | Discussion - Bill No. 677 - Directing the City Controller to create a Auto Theft Trust Fund for the deposit of cash and contributions from Insurance Companies (SPONSORED BY MR. FERLO)                                                                                                                                                                                                           |              |
| Wagner, Jack | REMARKS, Wednesday, September 28, 1988<br>Discussion - Bill No. 1302 - An Ordinance amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person (SPONSORED BY MR. POLLOCK) | 1404<br>1441 |
| Wagner, Jack | Discussion - Bill No. 1302 - An Ordinance amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person (SPONSORED BY MR. POLLOCK)                                           | 1444         |

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| Wagner, Jack | Discussion - Recommit - Bill No. 1349<br>Acquiring publicly owned property,<br>Vinecliff Street, 18th Ward,<br>Neighborhood Housing Fund; and also<br>Recommit - Bill No. 1352 - Contract<br>for Disposition of Land by and between<br>URA and Gildas A. Kaib, Jr. for the<br>sale of Block 4-C, Lot 94, and Block 4-G,<br>Lots 249, 254, and 256 located on Vinecliff<br>Street, 18th Ward for \$2,500.00 - Neighborhood<br>Housing Fund | 1465 |
| Wagner, Jack | Discussion - Bill No. 1407 - Agreement and/or<br>Contracts for the Overbrook Recreation Center,<br>land, design and construction                                                                                                                                                                                                                                                                                                          | 1483 |
| Wagner, Jack | Discussion - Issue of tax reform for the City of<br>Pittsburgh and the fact that it is bi-partisan<br>and would help municipalities throughout the<br>State in dealing with local tax problems;<br>also urging the Mayor's Office and<br>everyone else to try to take a more<br>active role in pushing for state<br>reform, by requesting a full-time<br>lobbyist in Harrisburg on a daily basis                                          | 1484 |
| Wagner, Jack | Presentation - Bill No. 1556 - Recognizing<br>October 24th - 30th as "National Drug Free<br>America Week" and "National Red Ribbon<br>Week"                                                                                                                                                                                                                                                                                               | 1491 |
| Wagner, Jack | Discussion - Suggesting that City employees<br>traveling on City time act as promotional<br>ambassadors by taking a brochure prepared<br>by the Greater Pittsburgh Office of<br>Promotion; suggesting the position of<br>Marketing Coordinator to be put in the<br>1989 Budget                                                                                                                                                            | 1509 |
| Wagner, Jack | Discussion - Issue of tax reform                                                                                                                                                                                                                                                                                                                                                                                                          | 1510 |
| Wagner, Jack | Discussion - Bill Nos. 1479, 1488, and<br>1500 - Warrants to Chamber Development<br>Company for payment of rental of drop<br>boxes and disposal of materials                                                                                                                                                                                                                                                                              | 1529 |
| Wagner, Jack | Discussion - Bill No. 1494 - Warrant to<br>Jeanne Marie Franz in the amount of<br>\$25,000.00                                                                                                                                                                                                                                                                                                                                             |      |
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| Wagner, Jack | Discussion - Bill No. 1434 - Changing the name of English Lane Field in Frick Park to Stanley Lederman Field (SPONSORED BY MR. WAGNER)                                                                                              |      |
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| Wagner, Jack | Discussion - Requesting the elimination of the words "not to exceed" and keep the number or amount out by administrative order                                                                                                      | 1559 |
| Wagner, Jack | Read - Bill No. 1164 - Saluting the accomplishment of Suzie McConnell and wishing her success in becoming a member of the United States Olympic Team Presented on July 25, 1988                                                     | 1567 |
| Wagner, Jack | Presentation - Bill No. 1639 - Commending the accomplishment of Suzie McConnell and thanking her for the recognition she has brought the City of Pittsburgh by bringing home the gold as a member of the United States Olympic Team | 1568 |
| Wagner, Jack | Presentation - Bill No. 1640 - Proclaiming the week of November 6 - 12, 1988 as "Marine Week" as a tribute to the 213th Anniversary of the United States Marine Corps                                                               | 1569 |
| Wagner, Jack | Discussion - Bill No. 1574 - Transferring 7,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1802, Supplies, Department of Parks and Recreation (SPONSORED BY MR. WAGNER)                                  |      |
|              | REMARKS, Wednesday, November 2, 1988                                                                                                                                                                                                | 1579 |
| Wagner, Jack | Presentation - Bill No. 1654 - Commending KDKA-TV and Al Julius for their tremendous effort on behalf of Julius's Turkeys for Thanksgiving, 1988                                                                                    | 1600 |
| Wagner, Jack | Comment - Mayor's Budget Address, 1989                                                                                                                                                                                              | 1610 |
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| Wagner, Jack | Presentation - Bill No. 1725 - Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax | 1639 |
| Wagner, Jack | Discussion - Regarding the overall budget, if something is not included in the proposal it can be introduced and voted on                                                                                                                                                                                             | 1651 |
| Wagner, Jack | Presentation - Bill No. 1784 - Congratulating Roger Kingdom on winning his second gold medal in the 110 meter high hurdles at the 1988 Olympic Games in Seoul, South Korea                                                                                                                                            | 1658 |
| Wagner, Jack | Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                          | 1681 |
| Wagner, Jack | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"                                                               |      |
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| Wagner, Jack | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"                                                               |      |
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| Wagner, Jack | Presentation - Bill No. 1812 - Proclaiming Monday, December 19, 1988 to honor and recognize Rita Gesue as a service-oriented humanitarian who continues to encourage the full citizen participation of the area's deaf community                                                                                                                       | 1724 |
| Wagner, Jack | Comments - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%)<br>REMARKS, Wednesday, December 14, 1988       | 1728 |
| Wagner, Jack | Discussion - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%)                                              | 1735 |
| Wagner, Jack | Discussion - Bill No. 1787 - An Ordinance Amending the Pittsburgh Code, Title One - Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.09, Advance of Expenses (SPONSORED BY MR. WAGNER)                                                                                                                     | 1748 |
| Wagner, Jack | Discussion - Bill No. 1788 - An Ordinance Amending the Pittsburgh Code, Title One - Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.07, Advance of Bills for travel expenses, by changing "Approval of Bills for Travel Expenses" to "Department of Head's Approval for Travel" (SPONSORED BY MR. WAGNER) | 1748 |

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| Wagner, Jack        | Advising not to recommit - Bill No. 1658<br>An Ordinance amending the Pittsburgh<br>Code, Title Five, Traffic, Chapters 523<br>and 525, by setting fees for release of<br>immobilized vehicles and; also Bill<br>No. 1659 - An Ordinance amending the<br>Pittsburgh Code, Title Five - Traffic,<br>Article III, Towing, Chapter 525,<br>Towing Charges, Section 525.02,<br>Schedule of Towing Fees, by changing<br>the fee schedule to be applied to each<br>classification | 1765 |
| Wagner, Jack        | Finance Chairman's 1989 Budget Message                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1777 |
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| Wilkenhauser, Chuck | Acceptance - Bill No. 927 - Proclaiming<br>the month of June, 1988 as "National Zoo<br>and Aquarium Month" in the City of<br>Pittsburgh                                                                                                                                                                                                                                                                                                                                     | 895  |
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| Wingard, Randy      | Acceptance - Bill No. 546 - Supporting<br>the efforts of Governor Casey and Mayor<br>Caliguiri to thwart the unfriendly take-over<br>and assist to ensure Koppers Company, Inc.<br>remains a Pittsburgh based company                                                                                                                                                                                                                                                       | 542  |

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| Woods, Ben | Discussion - Bill No. 42 - Resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power, and that City Council hereby authorize the City Solicitor to petition the Court of Common Pleas for their removal | 50   |
| Woods, Ben | Comments - Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns                                                                                                                                     |      |
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| Woods, Ben | Discussion on authorization to hire a Legal Advisor, Engineer and Fiscal Analyst                                                                                                                                                                                                        | 86   |
| Woods, Ben | Discussion - Motion to appoint Ben Woods, President Pro-Tem of City Council                                                                                                                                                                                                             | 114  |
| Woods, Ben | Discussion - Bill No.20 - Dickie, McCamey and Chilcore, P.C. for services for the City Controller                                                                                                                                                                                       | 127  |
| Woods, Ben | Amendment - Bill No. 11 - Motorized Fire Equipment for the Department of General Services                                                                                                                                                                                               |      |
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| Woods, Ben | Discussion - Bill No. 75 - Decreasing Code Account 57, Social Security Fund from \$5,586,400.00 to \$5,466,400.00 (SPONSORED BY MICHELLE MADOFF) and; Bill No. 76 - Adding the As Needed positions of Legal Consultant, Fiscal Consultant, and Engineering Consultant                   |      |
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| Woods, Ben | Discussion - Bill No. 100 - Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City                                                                                                   |      |
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| Woods, Ben | Discussion - Bill No. 220 - Members of Pittsburgh City Council authorize the hiring of a consultant to serve as Council's Legal Advisor                                                                                                                                           | 266  |
| Woods, Ben | Comments - Bill No. 196 - Transferring \$40,000.00 from C.A. 57, Social Security Fund to C.A. 1001-2, Salaries, Wages and Services of Council, as needed<br>(SPONSORED BY MICHELLE MADOFF)                                                                                        | 297  |
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| Woods, Ben | Discussion - Bill No. 100 - Agreement with the Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City Amending Resolution No. 1215/82<br>(SPONSORED BY MR. FERLO)              | 304  |
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| Woods, Ben | Discussion - Bill No. 300 - Declaring March 1, 1988 as Abolition Day in support of House Bill 1103 and urges all Pennsylvania Representatives to support this pro-life legislation, without amendment                                                                             | 340  |
| Woods, Ben | Discussion - Bill No. 247 - Amending Rule VIII of the Rules of Council to read: "(c.) All amendments made to any bill proposing an ordinance or resolution can be voted on without being in writing before the final vote is taken on the bill"<br>(SPONSORED BY MICHELLE MADOFF) | 347  |



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| Woods, Ben | Discussion - Bill No. 237 - Amending Rule XII of the Rules of Council to read: "No rule of the the Council shall be amended or changed, except by a majority vote of the members elected thereto, and after one week's previous notice to the members in writing of such change desired to be effected (SPONSORED BY MR. FERLO) | 350  |
| Woods, Ben | Discussion - Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days                                                                      | 404  |
| Woods, Ben | Once a roll call quorum is established, is the quorum maintained throughtout the meeting?<br>Reply: Yes, except the passage of legis-<br>lation requires five (5) members; down<br>to two, one person can not conduct a<br>meeting                                                                                              |      |
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| Woods, Ben | Discussion - Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                                                                            | 441  |
| Woods, Ben | Discussion - Requesting that the ruling for Duquesne Light Company rate increase be made here in Pittsburgh                                                                                                                                                                                                                     | 448  |
| Woods, Ben | Discussion - Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK)                                                                                                                       | 515  |
| Woods, Ben | Discussion - Bill No. 250 - Agreement for Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                                                                                                             |      |
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| Woods, Ben | Discussion - Bill No. 586 - Repealing Resolution No. 185 of 1988 for the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (J&L plant) (SPONSORED BY MR. FERLO)             | 641  |
| Woods, Ben | Discussion - Bill No. 502 - Appointment of Eugene V. Dotter, to the Board of Code Review Term to expire April, 1991                                                                                                                                         | 650  |
| Woods, Ben | Discussion - Bill No. 555 - Agreement with Metropolitan Tenant's Organization, Inc. for services during 1988 (SPONSORED BY MR. LYONS)                                                                                                                       | 655  |
| Woods, Ben | Discussion - Motion to Reconsider - Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review, term to expire April, 1991                                                                                                                 | 661  |
| Woods, Ben | Presentation - Bill No. 662 - Proclaiming the week of April 24-30, 1988 as "A Celebration of the Northside" in honor of the North Side Leadership Conference                                                                                                | 669  |
| Woods, Ben | Discussion on the motion to untangle Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments Term to expire April, 1991                                                                                                                      | 680  |
| Woods, Ben | Discussion - Bill No. 601 - Agreement with Lutheran Service Society for services in connection with the U.S.D.A. Commodity Distribution (SPONSORED BY MR. WOODS)                                                                                            | 720  |
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| Woods, Ben | Discussion - Bill No. 692 - VETO Communication from Mayor Richard Caliguiri Bill No. 310 - Prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh Residency Requirement for their employees | 752  |

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| Woods, Ben | Discussion - Bill No. 632 - Agreement and/or contract to manufacture, supply, install and provide necessary services related to new street signs<br>Amending Resolution No. 1041/87                             | 802  |
| Woods, Ben | Committee Changes, May 23, 1988<br>Wagner - Finance<br>DePasquale - Public Safety<br>Ferlo - Public Works<br>Coyne - Engineering and Construction<br>Pollock - General Services<br>Woods - Parks and Recreation | 817  |
| Woods, Ben | Discussion - Bill No. 720 - Making certain additions and corrections to the Appropriations for 1988<br>Amending Resolution No. 1092/87                                                                          | 827  |
| Woods, Ben | Discussion - Bill No. 791 - Contract for Roof rehabilitation and Masonry painting of No. 5 Police/No. 8 Fire Station<br>Amending Resolution No. 557/87                                                          | 844  |
| Woods, Ben | Discussion - Bill No. 792 - Contract/s for P.J. McArdle Roadway Sidewalk Rehabilitation<br>Amending Resolution No. 112/88                                                                                       | 846  |
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| Woods, Ben | Discussion - Motion proposing that Monday Meetings be held at 10:00 A.M. instead of 2:00 P.M. from May 31, until Labor Day, 1988                                                                                | 855  |
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| Woods, Ben | Discussion - Bill No. 239 - An Ordinance amending the Pittsburgh Code, Title Nine, Zoning by changing from "R4", "C3", "M1" and "M3" to to "S", "R2-T" and "C3", property located at North Canal Street, Cedar Avenue, North Avenue and Vinial Street, 23rd Ward | 923  |
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| Woods, Ben | Discussion on the purchase and operation of the Pierce Tiller Truck for the Fire Department - Independent evaluation by Underwriters Lab                                                                                                                                            | 956  |
| Woods, Ben | Comments - Bill No. 1011 - Recommending Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 993  |
| Woods, Ben | Comments - Public Hearing on Strategy 21 Funding                                                                                                                                                                                                                                    | 996  |
| Woods, Ben | City of Pittsburgh and Equitable Gas to do a pilot project to get pollution out of some of our automobiles                                                                                                                                                                          | 996  |
| Woods, Ben | Discussion - Bill No. 1001 - Agreement with the Pittsburgh Community Services, Inc. for the operation and implementation of a City-Wide Food Distribution and Services Program                                                                                                      | 1017 |
| Woods, Ben | Letter to Mayor Masloff regarding the "Paramedic's Union Reject Proposal by City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                                                                                                                   | 1028 |
| Woods, Ben | Discussion - Bill No. 588 - Conditional use for Allegheny County Medical Society 713 Ridge Avenue, to expand facility to include, 701 Ridge Avenue for parking and 717 Ridge Avenue for an extension to the building                                                                | 1057 |
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| Woods, Ben | Discussion - Bill No. 1069 - Agreement for Pittsburgh Community Services, Inc. for the operation and implementation of a "Citywide Food Distribution and Services Program"                                                                                                                                                         | 1134 |
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| Woods, Ben | Override Veto - Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings | 1156 |
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| Woods, Ben | Discussion - Restoring the benches in the lobby of the City-County Building                                                                                                                                                                                                                                                        | 1194 |
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| Woods, Ben | Discussion - Bill No. 1144 - Application for financial assistance with Pennsylvania, Department of Community Affairs for improvement associated with the Stadium Renewal Project in the amount of (\$2,500,000.00)                                                                                                                                                     | 1219 |
| Woods, Ben | Discussion - Bill No. 1076 - Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u> Amending Resolution No. 987/87 (SPONSORED BY MR. WOODS)                                                                                               | 1226 |
| Woods, Ben | Motion and resolution procedure                                                                                                                                                                                                                                                                                                                                        | 1229 |
| Woods, Ben | Presentation - Bill No. 1270 - Congratulating the achievements and extending our best wishes for future voyages of the mighty "Citiworks" and its formidable crew                                                                                                                                                                                                      | 1233 |
| Woods, Ben | Override veto - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                                       | 1245 |
| Woods, Ben | Discussion to televise public hearing on Bill No. 1302 - Amending the Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person (SPONSORED BY MR. POLLOCK) | 1282 |
| Woods, Ben | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                        | 1287 |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                 | PAGE |
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| Woods, Ben | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991<br>REMARKS, Wednesday, September 7, 1988                                                                                                                                                                                                                | 1296 |
| Woods, Ben | Discussion - Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991                                                                                                                                                                                                                                                         | 1299 |
| Woods, Ben | Discussion - Tabling - Bill No. 1308 - Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Coontracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office<br>(SPONSORED BY MR. WAGNER) | 1301 |
| Woods, Ben | Bill No. 850 - Amending the Pittsburgh Code, Title Nine - Zoning, by changing "R4" to "C3", Tripoli Street, Middle Street North Avenue, and the boundary line located west of East Street, 23rd Ward<br>(SPONSORED BY MR. WOODS)                                                                                                                                                        | 1302 |
| Woods, Ben | Discussion - Bill No. 1145 - Agreement with North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side                                                                                                                                                                                              | 1312 |
| Woods, Ben | Discussion - Bill No. 1282 - Agreement with Greenfield Cougars for professional services in connection with their football program<br>(SPONSORED BY MR. COYNE)<br>REMARKS, Wednesday, September 14, 1988                                                                                                                                                                                | 1350 |



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| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PAGE |
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| Woods, Ben | Discussion - Bill No. 1337 - Lease with the Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center; also Bill No. 1338 - (Cooperation) agreement with the URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an intial term of 30 years at an annual rental of One (\$1.00) dollar | 1354 |
| Woods, Ben | Discussion on the salver contract                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |
|            | Post Agenda item in October                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 1362 |
| Woods, Ben | Discussion concerning the public hearing concerning the human rights ordinance, Thursday, September 22, 1988, suggesting a time limit of two or three minutes for speaking and also requesting that city residents be given priority in speaking                                                                                                                                                                                                                                              | 1364 |
| Woods, Ben | Possible cutbacks in the Department of Enviromental Services, specifically the refuse workers and the number of crews                                                                                                                                                                                                                                                                                                                                                                         | 1379 |
| Woods, Ben | Discussion - VETO - Bill No. 454 - Resolution amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                                                                                                                                    | 1459 |
| Woods, Ben | Discussion - Bill No. 1379 - Contract for Renovations to the Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field                                                                                                                                                                                                                                                                                                                                                            | 1482 |
| Woods, Ben | Discussion - Issue of tax reform for the City of Pittsburgh and the fact that it is bi-partisan and would help municipalities throughout the State in dealing with local tax problems; also urging the Mayor's Office and everyone else to try to take a more active role in pushing for state reform, by requesting a full-time lobbyist in Harrisburg on a daily basis                                                                                                                      | 1485 |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                            | PAGE |
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| Woods, Ben | Discussion - Requesting from Public Works the rationale as to why various streets are being repaved such as Shady Avenue; suggesting a post agenda item on the situation                                                                                                                                                                           | 1509 |
| Woods, Ben | Discussion - Issue of tax reform and the possibility of a graduated occupation tax                                                                                                                                                                                                                                                                 | 1510 |
| Woods, Ben | Discussion - Bill Nos. 1479, 1488, and 1500 Warrants to Chamber Development Company for payment of rental of drop boxes and disposal of materials                                                                                                                                                                                                  | 1529 |
| Woods, Ben | Discussion - Bill No. 1482 - Amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M. - changing time to 2:00 P.M. (SPONSORED BY MR. LYONS) | 1531 |
| Woods, Ben | Discussion - Requesting the elimination of the words "not to exceed" and keep the number or amount out by administrative order                                                                                                                                                                                                                     | 1559 |
| Woods, Ben | Discussion - Local Tax Reform rally in Harrisburg, Tuesday, November 15, 1988                                                                                                                                                                                                                                                                      | 1564 |
| Woods, Ben | Discussion - Bill No. 1574 - Transferring 7,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1802, Supplies, Department of Parks and Recreation (SPONSORED BY MR. WAGNER)                                                                                                                                                 | 1580 |
| Woods, Ben | Requesting Councilmen Otis Lyons and Eugene DePasquale to escort Mayor Sophie Masloff into City Council Chamber to deliver the Mayor's Budget Address                                                                                                                                                                                              | 1595 |
| Woods, Ben | Comment - Mayor's Budget Address, 1989                                                                                                                                                                                                                                                                                                             | 1611 |
| Woods, Ben | Discussion - Budget items concerning the individual positions that are to receive bonuses and what the exact dollar figure will be                                                                                                                                                                                                                 | 1631 |
| Woods, Ben | Discussion - Amending Chapter 175 of the Art Commission to invoke including the Art Commission and the Architects Association in the placing of signs                                                                                                                                                                                              | 1634 |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                       | PAGE |
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| Woods, Ben | Welcoming David Brown, from Peabody High School who is doing a study on City Government                                                                                                                                                                                                                                                                                                       | 1637 |
| Woods, Ben | Presentation - Bill No. 1725 - Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax                                                                         | 1642 |
| Woods, Ben | Requesting a copy of the Pittsburgh School Board's Budget (wage tax concern)                                                                                                                                                                                                                                                                                                                  | 1652 |
| Woods, Ben | Discussion - Finance Chairperson should act as a clearing house for all suggestions that Council makes is not possible                                                                                                                                                                                                                                                                        | 1652 |
| Woods, Ben | Discussion - Bill No. 1718 - Amendment to Rule VIII of the Rules of Council which will call for all bills to be deposited to the Clerk of Council by 12:00 noon Friday, prior to the Regular Meeting of Council with the exception that any member may present any bill or paper notwithstanding said rule, with the consent of the majority of the members present at any meeting of Council | 1669 |
| Woods, Ben | Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                                                                                                  | 1681 |
| Woods, Ben | Discussion - VETO - Bill No. 1308 Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Coontracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office (SPONSORED BY MR. WAGNER)               | 1693 |

# ADDRESSES AND REMARKS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                   | PAGE |
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| Woods, Ben | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                          | 1703 |
| Woods, Ben | Discussion - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                          |      |
|            | REMARKS, Wednesday, December 7, 1988                                                                                                                                                                                                                                                                      | 1710 |
| Woods, Ben | Discussion - Bill No. 1610 - An Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure (Present Rate 1.125%) | 1739 |
| Woods, Ben | Discussion - Bill No. 1763 - Issuance of a warrant to Peat Marwick Main and Company in the amount of \$34,870.00                                                                                                                                                                                          | 1742 |
| Woods, Ben | Discussion - Bill No. 1767 - Agreement for the hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh in the case of the Metropolitan Pittsburgh Crusade for Voters, et. al., verses the City of Pittsburgh, et. al.                                           | 1746 |
| Woods, Ben | Discussion - Bill No. 1655 - An Ordinance supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713, 715, 717, 719, 721, 723, 763, 765, 771, 773, 775, 777, and 779, by raising certain fees                                                                | 1759 |

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| SPEAKER         | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                        | PAGE |
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| Woods, Ben      | Discussion - Bill No. 1657 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods                                                                                                                                    | 1762 |
| Woods, Ben      | Discussion - Bill No. 1658 - An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles and; also Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification | 1766 |
| Woods, Ben      | Congratulating Council on their cooperative work on the 1989 budget and introducing the Finance Chairman, Jack Wagner to give his budget message                                                                                                                                                                                                                                                                               | 1777 |
| Woods, Ben      | Veto - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                                                                                     | 1792 |
| Wright, Frances | Acceptance - Bill No. 269 - Re-examine the decision to close the post office on Walnut Street                                                                                                                                                                                                                                                                                                                                  | 279  |
| Yee, Mae        | Acceptance - Bill No. 1159 - Congratulating Mae Yee and Tamara Cherock on their exceptional academic skill and many accomplishments                                                                                                                                                                                                                                                                                            | 1091 |
| Yoos, Vince     | Presentation - Bill No. 1813 - Commending the Central Catholic High School and its State Champion Football Team and declaring the week of December 19 - 24, 1988 to be "Central Catholic Vikings State Football Championship Week"                                                                                                                                                                                             | 1725 |

# ADDRESSES AND REMARKS

| SPEAKER          | SUBJECT                                                                                                                                                                                                                                       | PAGE |
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| Zoffer, Dean Dr. | Acceptance - Bill No. 541 - Commending<br>Dean H.J. Hoffer on his administration of<br>the Joseph M. Katz Graduate School of<br>Business of the University of Pittsburgh<br>for their contribution to redevelopment<br>in the Pittsburgh area | 535  |

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| BILL NO. | SPEAKER                 | SUBJECT                                                                                                                                                                                               | PAGE |
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| 88       | Bailey,<br>Don          | Liquid Fuels Tax Fund for the period<br>of January 1, 1986 to December 31, 1986                                                                                                                       | 112  |
| 64       | Blocksidge,<br>Charles  | Certified Total Assessments of land<br>and building for the City of Pittsburgh                                                                                                                        | 77   |
| 692      | Caliguiri,<br>Richard   | Veto - Bill No. 310 - Prohibiting<br>the transfer of funds to various<br>authorities until such time as the<br>authorities adopt a City of<br>Pittsburgh Residency Requirement<br>for their employees | 707  |
| 170      | Caliguiri,<br>Richard   | Veto - Bill No. 47 - Instructing<br>the City Solicitor and certain<br>Directors to undertake certain<br>activities in regard to the<br>contamination in the Allegheny River                           | 203  |
| 171      | Caliguiri,<br>Richard   | Veto - Bill Nos. 75 and 76 -<br>"Amending the budget by adding as<br>an employee a legal advisor and<br>appropriating additional funds<br>from the Social Security fund"                              | 207  |
| 430      | Charlton, Jr.<br>George | 1988 Public Parking Authority of<br>Pittsburgh's Employees Position<br>and Annual Salary Report                                                                                                       | 471  |
| 875      | Cosentino,<br>Richard   | Annual Report of Municipal Authority<br>for the year ending December 31, 1987                                                                                                                         | 862  |
| 37       | Donahoe,<br>David       | Position and Salary Report,<br>Urban Redevelopment Authority<br>December 31, 1987                                                                                                                     | 47   |

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| BILL NO. | SPEAKER          | SUBJECT                                                                                                                                                                                                                                                                                            | PAGE     |
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| 237      | Ferlo,<br>Jim    | Amending Rule XII of the Rules of Council to read: "No rule of the Council shall be amended or changed, except by a majority vote of the members elected thereto, and after one week's previous notice to the members in writing of such change desired to be effected<br>(Sponsored by Mr. Ferlo) | 285, 349 |
| 874      | Flaherty,<br>Tom | Fiscal Audit of the Department of General Services, Warehouse Inventory, as of December 31, 1987                                                                                                                                                                                                   | 861      |
| 570      | Flaherty,<br>Tom | Fiscal Audit of the Municipal Pension Fund as of December 31, 1986 and 1985 and the related statement of changes in net assets available for plan benefits for the years ended December 31, 1986 and 1985                                                                                          | 607      |
| 1400     | Flaherty,<br>Tom | Performance Audit of the City's Purchasing System, including an examination of procedures for procuring services and commodities and assessment of the City's decentralized invoice payment system, dated September 19, 1988                                                                       | 1373     |
| 1399     | Flaherty,<br>Tom | Report of Net Debt Remaining Debt Incurring Margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act", prepared as of August 31, 1988                                                                                                                        | 1373     |
| 1792     | Flaherty,<br>Tom | Report of Net Debt Remaining Debt Incurring Margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act", prepared as of October 31, 1988                                                                                                                       | 1691     |
| 1230     | Flaherty,<br>Tom | Submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Debt Act", prepared as of December 31, 1987                                                                                                                      | 1146     |

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| BILL NO. | SPEAKER             | SUBJECT                                                                                                                                                                                                                                                                                                                                       | PAGE     |
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| 1233     | Flaherty,<br>Tom    | Submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Debt Act", prepared as of June 30, 1988                                                                                                                                                                     | 1146     |
| 1231     | Flaherty,<br>Tom    | Submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Debt Act", prepared as of March 31, 1988                                                                                                                                                                    | 1146     |
| 1232     | Flaherty,<br>Tom    | Submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Debt Act", prepared as of May 31, 1988                                                                                                                                                                      | 1146     |
| 247      | Madoff,<br>Michelle | Amending Rule VIII of the Rules of Council to read: "(c.) All amendments made to any bill proposing an ordinance or resolution can be voted on without being in writing before the final vote is taken on the bill" (SPONSORED BY MICHELLE MADOFF)                                                                                            | 287, 346 |
| 1122     | Masloff,<br>Mayor   | Appointment of Henry V. Sciortino as City Treasurer and also as a member of the Pittsburgh Water and Sewer Authority for a term to expire the first Monday of January, 1993                                                                                                                                                                   | 1078     |
| 1271     | Masloff,<br>Mayor   | VETO - Bill No. 1021 - Resolution authorizing an agreement to implement a "City-wide food distribution and services program" at a cost not to exceed \$200,000.00 and; also Bill No. 1015 - Transferring the aggregate amount of \$200,000.00 from various code accounts to Code Account No. 1103, Misc. Service, Department of City Planning | 1235     |



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| BILL NO. | SPEAKER           | SUBJECT                                                                                                                                                                                                                                                                                                                                                              | PAGE |
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| 1272     | Masloff,<br>Mayor | VETO - Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                                              | 1240 |
| 1793     | Masloff,<br>Mayor | VETO - Bill No. 1308 - Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Cheif Auditor, Coontracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office (SPONSORED BY MR. WAGNER) | 1692 |
| 1820     | Masloff,<br>Mayor | VETO - Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                           | 1782 |
| 1054     | Masloff,<br>Mayor | VETO - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh                                                                                                                                                                                                                                                                                   | 1007 |
| 1506     | Masloff,<br>Mayor | VETO - Bill No. 454 - Resolution Amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                        | 1457 |

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### MISCELLANEOUS

| BILL NO. | SPEAKER                | SUBJECT                                                                                                                                                                                                                                                                                                                                           | PAGE |
|----------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1235     | Masloff,<br>Mayor      | VETO - Bill No. 708 - An Ordinance<br>amending Title 10, Chapter 1013<br>of the Pittsburgh Code to allow<br>public input into the building<br>variance process                                                                                                                                                                                    | 1147 |
| 1236     | Masloff,<br>Mayor      | VETO - Bill No. 849 - An Ordinance<br>amending Title 10, Building, Article<br>III, of the Pittsburgh Code by adding<br>a new subsection to the 1987 BOCA<br>National Building Code which prohibits<br>plastic pipe, and non-metallic tubing for<br>waste, vent, drain and water supply<br>in all buildings except one and two<br>family dwellings | 1148 |
| 121      | McDermott,<br>Norbert  | Alcosan's personnel list as of<br>December 31, 1987                                                                                                                                                                                                                                                                                               | 162  |
| 1259     | McDermott,<br>Norbert  | Alcosan's personnel list as of<br>June 30, 1988                                                                                                                                                                                                                                                                                                   | 1200 |
| 202      | Pellegrini,<br>Dante   | Interim Approval to enter into<br>an agreement with Wilson, Elser,<br>Moskowitz, Edelman and Dicker<br>for the anticipated challenge<br>to the map drawn by the Pittsburgh<br>Apportionment Commission                                                                                                                                            | 240  |
| 120      | Pellegrini,<br>Dante   | Report summarizing settlement claims<br>not exceeding \$750.00, for the<br>fourth quarter of 1987                                                                                                                                                                                                                                                 | 161  |
| 818      | Pellegrini,<br>Dante   | Report summarizing settlement claims<br>not exceeding \$750.00, for the<br>first quarter of 1988                                                                                                                                                                                                                                                  | 793  |
| 1258     | Pellegrini,<br>Dante   | Report summarizing settlement claims<br>not exceeding \$750.00, for the<br>second quarter of 1988                                                                                                                                                                                                                                                 | 1200 |
| 1694     | Pellegrini,<br>Dante   | Report summarizing settlement claims<br>not exceeding \$750.00, for the<br>third quarter of 1988                                                                                                                                                                                                                                                  | 1622 |
| 169      | Pietragallo,<br>Daniel | Submitting an alphabetical listing<br>of Housing Authority Employees<br>as of January 1, 1988                                                                                                                                                                                                                                                     | 202  |

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| BILL NO. | SPEAKER          | SUBJECT                                                                                                                                                        | PAGE   |
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| 28       | Pollock,<br>Mark | Amending the Rules of Council,<br>deleting a portion of Rule VIII(a)<br>and inserting "Printed copies shall<br>be delivered to each Council<br>Members Office" | 36, 81 |
| 261      | Turner,<br>James | Report of deposits and market<br>value of securities pledged as<br>collateral by Depositories as<br>of December 31, 1987                                       | 289    |
| 431      | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of January 31, 1988                               | 471    |
| 653      | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of February 29, 1988                              | 471    |
| 745      | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of March 31, 1988                                 | 471    |
| 918      | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of April 29, 1988                                 | 904    |
| 1156     | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of May 31, 1988                                   | 1104   |
| 1234     | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of June 30, 1988                                  | 1147   |
| 1502     | Turner,<br>James | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of July 29, 1988                                  | 1456   |

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| BILL NO. | SPEAKER            | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PAGE     |
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| 1503     | Turner,<br>James   | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of August 31, 1988                                                                                                                                                                                                                                                                                                                                                    | 1456     |
| 1719     | Turner,<br>James   | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of September 30, 1988                                                                                                                                                                                                                                                                                                                                                 | 1645     |
| 1775     | Turner,<br>James   | Report of deposits and the Market<br>Value of Securities pledged as<br>collateral by City Depositories<br>as of October 31, 1988                                                                                                                                                                                                                                                                                                                                                   | 1668     |
| 256      | Wagner,<br>Jack    | Amending Rule IV of the Rules of<br>Council to read: "At its organization<br>meeting of thereafter Council shall<br>by a majority vote of all Council<br>Members, elect one member to serve<br>as President Pro tempore for the<br>for the ensuing term"; and by adding<br>(b) "In the absence of the President<br>and the President Pro tempore, the<br>members shall elect a temporary<br>President Pro tempore to Chair<br>that meeting provided there be<br>a quorum present." | 288, 352 |
| 39       | Young,<br>Reginald | Annual Defense Spending<br>Report, 1986                                                                                                                                                                                                                                                                                                                                                                                                                                            | 47       |
| 38       | Young,<br>Reginald | Report of deposits and the Market<br>Value of securities, November 30, 1987                                                                                                                                                                                                                                                                                                                                                                                                        | 47       |

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TRAVEL REQUEST  
CITY CLERK'S OFFICE - MICHAEL A. PERRY

| BILL NO. | NAME                            | SUBJECT                                                                                                    | PAGE |
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| 360      | D'Alessando, Al<br>Vaughn, Pete | Annual GFOA Conference<br>Atlanta, GA<br>April 30 - May 4, 1988<br>\$2,700.00                              | 436  |
| 259      | Mascio, John                    | National Community Development<br>Annual Conference<br>Washington, D.C.<br>April 12-15, 1988<br>\$1,100.00 | 289  |

TRAVEL REQUEST  
CITY CONTROLLER'S OFFICE - TOM FLAHERTY

| BILL NO. | NAME             | SUBJECT                                                                                                                    | PAGE |
|----------|------------------|----------------------------------------------------------------------------------------------------------------------------|------|
| 1630     | Cassidy, Edward  | 1988 Intermediate Governmental<br>Accounting Seminar<br>Sarasota, FL<br>December 6-7, 1988<br>\$925.00                     | 1576 |
| 467      | Haley, James     | Annual Conference of the Government<br>Finance Officers Association<br>Atlanta, GA<br>April 30 - May 4, 1988<br>\$1,500.00 | 506  |
| 109      | Johnson, Raymond | Annual Conference of the<br>Government Finance Officers<br>Atlanta, GA<br>April 30 - May 4, 1988<br>\$1,450.00             | 160  |
| 558      | Pokora, Anthony  | G.F.O.A. Annual Conference<br>Atlanta, GA<br>April 30 - May 4, 1988<br>\$1,700.00                                          | 604  |

**COMMUNICATIONS**

**TRAVEL REQUEST**  
**CITY COUNCIL'S OFFICE - MICHAEL COYNE**

| BILL NO. | NAME           | SUBJECT                                                                                               | PAGE |
|----------|----------------|-------------------------------------------------------------------------------------------------------|------|
| 1567     | Cusick, Joseph | Dun and Bradstreet's<br>Business Writing Clinic<br>Pittsburgh, PA<br>January 9, 1988<br>\$100.00      | 1522 |
| 1735     | Cusick, Joseph | Business Writing Skills<br>January 26, 1989<br>Pittsburgh, PA<br>\$100.00                             | 1661 |
| 337      | Lamb, Michael  | State Governments Impact on<br>Municipal Management<br>Harrisburg, PA<br>March 24-25, 1988<br>\$25.00 | 432  |

**TRAVEL REQUEST**  
**CITY COUNCIL'S OFFICE - OTIS LYONS**

| BILL NO. | NAME                             | SUBJECT                                                                                   | PAGE |
|----------|----------------------------------|-------------------------------------------------------------------------------------------|------|
| 980      | Johnson, Burma<br>Wilson, Marlyn | 8th Annual Council Staff Conference<br>Providence, RI<br>August 10-14, 1988<br>\$1,600.00 | 964  |

**TRAVEL REQUEST**  
**CITY COUNCIL'S OFFICE - MICHELLE MADOFF**

| BILL NO. | NAME             | SUBJECT                                                        | PAGE |
|----------|------------------|----------------------------------------------------------------|------|
| 525      | Guenther, Carmen | "Women's Work"<br>Harrisburg, PA<br>April 13, 1988<br>\$100.00 | 546  |

**COMMUNICATIONS**

**TRAVEL REQUEST**  
**CITY COUNCIL'S OFFICE - JACK WAGNER**

| BILL NO. | NAME                                | SUBJECT                                                                                                         | PAGE |
|----------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------|------|
| 427      | Brady, Micheal<br>Pilewski, Carolyn | Municipal Recycling Seminar<br>Wilkins, Township, PA<br>March 23-25, 1988<br>\$150.00                           | 470  |
| 470      | Brady, Micheal                      | Urban Land Institute<br>Innovations in Waterfront Development<br>Philadelphia, PA<br>April 13, 1988<br>\$650.00 | 506  |
| 1547     | Brady, Michael                      | Tax Reform Package<br>Harrisburg, PA<br>October 17, 1988<br>\$150.00<br>(reimbursement)                         | 1496 |

**TRAVEL REQUEST**  
**CITY COUNCIL'S OFFICE - BEN WOODS**

| BILL NO. | NAME        | SUBJECT                                                                           | PAGE |
|----------|-------------|-----------------------------------------------------------------------------------|------|
| 1075     | Salac, Kurt | 1988 Governmental Accounting Seminar<br>Dallas, TX<br>July 22, 1988<br>\$1,100.00 | 1038 |

**TRAVEL REQUEST**  
**CITY PLANNING - ROBERT LURCOTT, DIRECTOR**

| BILL NO. | NAME                                  | SUBJECT                                                                         | PAGE |
|----------|---------------------------------------|---------------------------------------------------------------------------------|------|
| 1146     | Bellisario, Richard<br>Smith, Richard | Computer Training Workshop<br>Columbus, OH<br>September 14-15, 1988<br>\$405.00 | 1102 |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**CITY PLANNING - ROBERT LURCOTT, DIRECTOR**

| BILL NO. | NAME                                                       | SUBJECT                                                                                                          | PAGE |
|----------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------|
| 1211     | Downing, Jane                                              | Leadership Pittsburgh Year<br>1988-89                                                                            |      |
|          |                                                            | \$1,500.00                                                                                                       | 1144 |
| 1332     | Downing, Jane                                              | National Association of Housing<br>and Development Officials Conference<br>New York, NY<br>September 23-28, 1988 |      |
|          |                                                            | \$1,100.00                                                                                                       | 1294 |
| 556      | Farmer, Paul                                               | American Planning Association<br>Annual Conference<br>San Antonio, TX<br>May 1-4, 1988                           |      |
|          |                                                            | \$1,300.00                                                                                                       | 603  |
| 1644     | Farmer, Paul<br>Imbimbo, Joe<br>Walker, David<br>Wells, Ed | Test and evaluate computer-<br>based geographic systems<br>Redlands, CA<br>October 19-23, 1988                   |      |
|          |                                                            | No Cost                                                                                                          | 1602 |
| 1386     | Kaikai, Sidney                                             | Managing Transporation<br>Baltimore, MD<br>October 12-14, 1988                                                   |      |
|          |                                                            | \$772.00                                                                                                         | 1371 |
| 27       | King, Barbara                                              | PA Hall of Fame Champions<br>of Older Workers Council<br>Washington, DC<br>December 10, 1987                     |      |
|          |                                                            | \$320.00                                                                                                         | 36   |
| 31S      | Lurcott, Robert                                            | APA National Planning Conference<br>San Antonio, TX<br>April 29 - May 4, 1988                                    |      |
|          |                                                            | \$1,250.00                                                                                                       | 380  |
| 74       | Lurcott, Robert                                            | Strategy 21 Meeting<br>Harrisburg, PA<br>January 27, 1988                                                        |      |
|          |                                                            | \$250.00                                                                                                         | 109  |
| 524      | Lurcott, Robert                                            | Waterfront Development Conference<br>New York City<br>May 12-13, 1988                                            |      |
|          |                                                            | \$1,200.00                                                                                                       | 546  |



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COMMUNICATIONS

TRAVEL REQUEST  
CITY PLANNING - ROBERT LURCOTT, DIRECTOR

| BILL NO. | NAME                        | SUBJECT                                                                                          | PAGE |
|----------|-----------------------------|--------------------------------------------------------------------------------------------------|------|
| 1430     | Lurcott, Robert             | Urban Land Institute<br>San Francisco, CA<br>November 2-5, 1988<br>\$1,750.00                    | 1394 |
| 343      | Smith, Richard              | CDBG Strategies for Assisting<br>the Homeless<br>Philadelphia, PA<br>April 6-8, 1988<br>\$525.00 | 433  |
| 244      | Sproul, Jack<br>Woods, Eric | Labor Standards in Construction<br>Meadville, PA<br>March 22, 1988<br>\$220.00                   | 286  |
| 1066     | Wells, Ed                   | Urban and Regional Information Systems<br>Los Angeles, CA<br>August 6-11, 1988<br>\$980.00       | 1036 |
| 245      | Wright-Banks, A.            | National Community Development<br>Washington, D.C.<br>April 12-15, 1988<br>\$1,022.00            | 286  |

TRAVEL REQUEST  
ENGINEERING AND CONSTRUCTION  
PAUL MCDERMOTT, DIRECTOR

| BILL NO. | NAME                                                                                                                                                  | SUBJECT                                                                                                                         | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------|
| 864      | Barczak, Steven<br>Killmeyer, Donald<br>Reginella, Fred<br>Semieraro, Joseph<br>Shanley, Stephen<br>Stempkowski, Mark<br>Tumas, Joseph<br>Weres, John | Fifth Annual International<br>Bridge Conference and Exhibit<br>Hilton Hotel<br>Pittsburgh, PA<br>June 13-15, 1988<br>\$1,424.00 | 859  |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**ENGINEERING AND CONSTRUCTION**  
**PAUL MCDERMOTT, DIRECTOR**

| BILL NO. | NAME                                                                                      | SUBJECT                                                                                                                          | PAGE |
|----------|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------|
| 1596     | Connors, Richard                                                                          | Design Manual, Part 4, Structures<br>Indiana, PA<br>October 20-21, 1988<br>\$60.00<br>(REIMBURSEMENT)                            | 1570 |
| 1597     | Connors, Richard                                                                          | Design Manual, Part 4, Structures<br>Indiana, PA<br>December 6, 1988<br>January 12, 1989 and<br>February 22-23, 1989<br>\$150.00 | 1570 |
| 1135     | Farber, Bruce                                                                             | Managing Projects with a<br>Personal Computer<br>Pittsburgh University<br>September 12-14, 1988<br>\$895.00                      | 1100 |
| 1346     | Farber, Bruce                                                                             | Computer Mapping and Land<br>Information Systems Symposium<br>Chattanooga, TN<br>October 25-27, 1988<br>\$1,000.00               | 1320 |
| 1736     | Killmeyer, Donald<br>Semleraro, Joseph<br>Shaney, Stephen<br>Tumas, Joseph<br>Weres, John | Inspection of Fracture<br>Critical Bridge Members<br>December 9-10, 1988<br>Pittsburgh, PA<br>\$600.00                           | 1661 |
| 8        | Kubit, Anthony                                                                            | Mid-Atlantic Institute<br>of Transportation Engineers<br>December 10, 1987<br>Grantville, PA<br>\$260.00                         | 33   |
| 71       | Loy, Paul<br>Weres, John                                                                  | American Concrete Institute<br>Coraopolis, PA<br>March 3, 1988<br>\$500.00                                                       | 108  |
| 231      | McCormick, Mark                                                                           | Remaking Cities Conference<br>Pittsburgh, PA<br>March 2-5, 1988<br>\$393.75                                                      | 284  |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**ENGINEERING AND CONSTRUCTION**  
**PAUL MCDERMOTT, DIRECTOR**

| BILL NO. | NAME                                                   | SUBJECT                                                                                                                    | PAGE |
|----------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------|
| 1470     | McDermott, Paul                                        | Federal Energy<br>Regulatory Commission<br>Washington, D.C.<br>October 17-19, 1988<br>\$400.00<br>(City vehicle requested) | 1451 |
| 585      | Oliivo, Thomas                                         | American Society of Landscape<br>Architects' 1988 Seminar<br>Pittsburgh, PA<br>April 7-9, 1988<br>\$117.00                 | 633  |
| 1289     | Semieraro, Joseph<br>Shanley, Stephen<br>Tumas, Joseph | Bridge Inspection Truck<br>Duluth, MN<br>August 10-11, 1988<br>\$250.00                                                    | 1280 |
| 1471     | Semieraro, Joseph<br>Tumas, Jospeh                     | Bridge Inspection Truck<br>Final Viewing of Assembly<br>Duluth, MN<br>October 11-13, 1988<br>\$225.00                      | 1452 |
| 452      | Taylor, Sam                                            | Introduction to the National<br>Building Code<br>Pittsburgh, PA<br>March 22-23, 1988<br>\$235.00                           | 504  |

**TRAVEL REQUEST**  
**ENVIRONMENTAL SERVICES**  
**JAMES NORMAN WALKER, DIRECTOR**

| BILL NO. | NAME                                                           | SUBJECT                                                                         | PAGE |
|----------|----------------------------------------------------------------|---------------------------------------------------------------------------------|------|
| 1296     | Allen, Ruby<br>Gibson, Phyllis<br>Hauser, Elaine<br>Todd, Jean | Hazardous Marerials Research<br>Hamarville, PA<br>September 6, 1988<br>\$170.00 | 1281 |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**ENVIRONMENTAL SERVICES**  
**JAMES NORMAN WALKER, DIRECTOR**

| BILL NO. | NAME                             | SUBJECT                                                                                                                           | PAGE      |
|----------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------|
| 888      | Artman, John<br>McMeekin, Barry  | 14th Annual Animal Control<br>Columbus, GA<br>June 23-25, 1988<br>\$1,800.00                                                      | 898       |
| 534      | Gibson, Phyllis<br>Lewis, Robert | Executive Committee Meeting of the<br>PA Vector Control Association<br>State College, PA<br>April 7-8, 1988<br>\$220.00           | 547       |
| 1295     | Gibson, Phyllis<br>Lewis, Robert | PA Vection Control Conference<br>State College, PA<br>September 28-30, 1988<br>\$650.00                                           | 1281      |
| 743      | Lewis, Robert                    | Governmental Refuse Collection<br>Disposal Association<br>Baltimore, MD<br>August 22-25, 1988<br>\$1,900.00                       | 740       |
| 1532     | Lewis, Robert<br>Mabrey, Darryl  | Governmental Refuse Collection<br>Disposal Association<br>Baltimore, MD<br>August 22-25, 1988<br>\$2,200.00                       |           |
| 292      | Lewis, Robert<br>Mabrey, Darryl  | Amending Council Bill 743/88<br>7th Annual Resource Recovery<br>Conference<br>Washington, D.C.<br>March 23-25, 1988<br>\$2,300.00 | 740       |
| 889      | Lewis, Robert<br>Mabrey, Darryl  | Governmental Refuse Collection<br>State College, PA<br>June 19, 1988<br>\$300.00<br>(City vehicle requested)                      | 346       |
| 60       | Lewis, Robert<br>Mabrey, Daryl   | Governmental Refuse Collection<br>and Disposal Association Meeting<br>Camp Hill, PA<br>January 26, 1988<br>\$40.00                | 898<br>77 |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**ENVIRONMENTAL SERVICES**  
**JAMES NORMAN WALKER, DIRECTOR**

| BILL NO. | NAME             | SUBJECT                                                                       | PAGE |
|----------|------------------|-------------------------------------------------------------------------------|------|
| 1385     | McMeeking, Barry | National Animal Control<br>Toronto, Canada<br>October 13-15, 1988<br>\$550.00 | 1370 |

**TRAVEL REQUEST**  
**FINANCE DEPARTMENT - JAMES TURNER, DIRECTOR**

| BILL NO. | NAME                                                                        | SUBJECT                                                                                                           | PAGE |
|----------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------|
| 726      | Conner, William                                                             | Government Finance Officers<br>Money Market Management<br>Chicago, IL<br>May 22-26, 1988<br>\$950.00              | 737  |
| 727      | Dauer, Drew<br>Gedman, William<br>Wise, Marion                              | Internal Auditing Seminar<br>Philadelphia, PA<br>June 15-16, 1988<br>\$1,950.00                                   | 737  |
| 1496     | Foecking, Daniel<br>Goldberg, Bettemae<br>Yakich, Robert<br>Zentek, Barbara | How to Improve Your<br>Collection Techniques<br>Monroeville, PA<br>November 14, 1988<br>\$640.00                  | 1455 |
| 805      | Foecking, Daniel<br>Smulski, Robert                                         | PA Earned Income Tax Officers,<br>Administrators and Collectors<br>Harrisburg, PA<br>June 12-14, 1988<br>\$890.00 | 790  |
| 806      | Gala, Judy                                                                  | Advanced Money Management<br>Chicago, IL<br>June 12-14, 1988<br>\$950.00                                          | 790  |
| 594      | Jeffrey, Daniel                                                             | American Payroll Assoc. Training<br>Pittsburgh, PA<br>July 18-19, 1988<br>\$600.00                                | 634  |

**COMMUNICATIONS**

**TRAVEL REQUEST**  
**FINANCE DEPARTMENT - JAMES TURNER, DIRECTOR**

| BILL NO. | NAME                              | SUBJECT                                                                                                                  | PAGE |
|----------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------|------|
| 1319     | Jeffrey, Daniel                   | American Payroll Association<br>Government Payroll Conference<br>Washington, D.C.<br>September 18-20, 1988<br>\$1,145.00 | 1285 |
| 1462     | Lapcevic, Barbara                 | American Payroll Conference<br>Pittsburgh, PA<br>October 26, 1988<br>\$215.00                                            | 1415 |
| 156      | Sciortino, Harry                  | Washington, D.C.<br>February 16-19, 1988<br>Atlanta, GA<br>April 29-May 5, 1988<br>\$2,600.00                            | 200  |
| 155      | Sciortino, Harry<br>Turner, James | Public Pension Investment<br>San Diego, CA<br>February 21-24, 1988<br>\$2,600.00                                         | 200  |
| 1629     | Sciortino, Henry                  | Financing Our Future<br>Cleveland, OH<br>November 28-29, 1988<br>\$500.00                                                | 1576 |
| 687      | St. Clair, Eric<br>Wise, Marion   | Municipal Finance<br>Harrisburg, PA<br>May 25-27, 1988<br>\$750.00                                                       | 706  |
| 1581     | Turner, James                     | Public Debt Administrators<br>Atlanta, GA<br>November 28-30, 1988<br>\$1,155.00                                          | 1524 |
| 199      | Turner, James<br>Young, Reginald  | Government Finance Officers<br>Association Conference<br>Atlanta, GA<br>April 30 - May 4, 1988<br>\$2,850.00             | 239  |
| 952      | Yakich, Robert                    | Successful Collection Techniques<br>Pitt University<br>July 11, 1988<br>\$295.00                                         | 942  |

COMMUNICATIONS

TRAVEL REQUEST

GENERAL SERVICES - DAWN BOTSFORD, DIRECTOR

| BILL NO. | NAME                                                          | SUBJECT                                                                                                                            | PAGE        |
|----------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 140      | Bucci, Joseph<br>Carfardi, Henry<br>Gove, Susan               | Best Locking System<br>Indianapolis, IN<br>March 23-25, 1988<br>\$1,800.00                                                         | 198         |
| 277      | Buccina, Erm<br>Burgy, Nancy<br>Creer, Clevera<br>Gove, Nancy | Mainstream System<br>Sewaren, NJ<br>March 14-18, 1988<br>\$4,400.00                                                                |             |
| 1433     | Smith, Robin<br>Burger, Barbara                               | City vehicle requested<br>National Safety Council<br>Congress and Exposition<br>Orlando, FL<br>October 15 - 20, 1988<br>\$1,500.00 | 343<br>1395 |
| 1307     | Davis, John<br>Gove, Sue                                      | Urban Consortium Energy Task Force<br>New York, NY<br>September 21-24, 1988<br>No cost                                             | 1283        |
| 587      | Davis, John<br>Rose, Ed<br>Smith, Robin                       | Waste Expo '88<br>Washington, D.C.<br>May 5-6, 1988<br>\$750.00                                                                    | 633         |
| 342      | Veal, Carol                                                   | Certificates in Government Contracts<br>Arlington, VA<br>April 27-29, 1988<br>\$1,350.00                                           | 433         |
| 1432     | Veal, Carol                                                   | National Minority Supplier<br>Development Council<br>Dallas, TX<br>October 30, - November 2, 1988<br>\$1,250.00                    | 1395        |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**HUMAN RELATIONS COMMISSION**  
**JOHN GABRIEL, DIRECTOR**

| BILL NO. | NAME                                   | SUBJECT                                                                                                                        | PAGE |
|----------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------|
| 1717     | Fox, Alam Speed<br>Gabriel, John       | Fair Housing Seminar<br>Cleveland, OH<br>January 18-19, 1988<br>NO COST                                                        | 1645 |
| 78       | Gabriel, John                          | Annual Joint Conference of EEOC<br>Dallas, TX<br>March 13-18, 1988<br>\$1,200.00                                               | 110  |
| 1221     | Gabriel, John                          | 1988 HUD Region III Conference<br>Charleston, West Virginia<br>August 28-31, 1988<br>\$600.00                                  | 1145 |
| 1006     | Harris, Sonfronia<br>Morrison, Charles | Introduction to Supervision<br>Pittsburgh, PA<br>July 11-15, 1988<br>\$610.00                                                  | 968  |
| 79       | Johnson, James                         | Northeast Regional Conference<br>New York, NY<br>March 3-4, 1988<br>\$1,000.00                                                 | 111  |
| 728      | Johnson, Pamela<br>Weinstein, Cheri    | Joint Regional FHAP/CHRB<br>Training Conference<br>Philadelphia, PA<br>June 7-10, 1988<br>\$900.00<br>(City vehicle requested) | 737  |
| 563      | Zatek, Mark                            | Newsletter Seminar<br>Pittsburgh, PA<br>May 12, 1988<br>\$300.00                                                               | 605  |



**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**CITY INFORMATION SYSTEMS**  
**ED WALKOWSKI, DIRECTOR**

| BILL NO. | NAME                                 | SUBJECT                                                                                                                  | PAGE |
|----------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------|
| 1436     | Branch, Michael<br>McManamy, Michael | Upgrade, Repairing, Maintenance<br>and Troubleshooting<br>Pittsburgh, PA<br>October 31, - November 2, 1988<br>\$1,431.00 | 1396 |
| 426      | Cheyne, Ken<br>Good, John            | Honeywell Bull Education Center<br>Reston, VA<br>April 10-20, 1988<br>\$7,700.00                                         | 469  |
| 1770     | Davis, Ron<br>Papst, Marcia          | Honeywell Training in<br>Migration in DPS 8000<br>December 11-13, 1988<br>Albany, NY<br>\$2,234.00                       | 1667 |
| 283      | Farrington, Kathy                    | Mainstream Corp. Training<br>Sewaren, NY<br>March 14- 18, 1988<br>\$750.00                                               | 344  |
| 1074     | Krall, Paul                          | Management Problems of the Technical<br>Person in a Leadership Role<br>Coraopolis, PA<br>August 5, 1988<br>\$195.00      | 1038 |

**TRAVEL REQUEST**  
**LAW DEPARTMENT**  
**DANTE PELLEGRINI, CITY SOLICITOR**

| BILL NO. | NAME                | SUBJECT                                                                                                         | PAGE |
|----------|---------------------|-----------------------------------------------------------------------------------------------------------------|------|
| 1005     | Donaldson, Gretchen | Fundamentals of Municipal Borrowing<br>Vista International Hotel<br>Pittsburgh, PA<br>June 22, 1988<br>\$145.00 | 968  |

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**COMMUNICATIONS**

**TRAVEL REQUEST**

**LAW DEPARTMENT**

**DANTE PELLEGRINI, CITY SOLICITOR**

| BILL NO. | NAME              | SUBJECT                                                                                                                   | PAGE |
|----------|-------------------|---------------------------------------------------------------------------------------------------------------------------|------|
| 107      | Pellegrini, Dante | Conference - Duke University<br>Durham, N.C.<br>February 18-19, 1988<br>\$200.00                                          | 159  |
| 108      | Pellegrini, Dante | Municipal Law Officers Seminar<br>Washington, D.C.<br>March 11-16, 1988<br>\$1,028.00                                     | 160  |
| 1320     | Pellegrini, Dante | Local Government Strategies<br>for Environmental Compliance<br>Washington, D.C.<br>\$1,229.34<br>(City vehicle requested) | 1285 |
| 1393     | Pellegrini, Dante | National Institute of<br>Municipal Law Officers<br>Charleston, SC<br>October 28 - November 2, 1988<br>\$1,498.87          | 1372 |

**TRAVEL REQUEST**

**MAYOR'S OFFICE - SOPHIE MASLOFF, MAYOR**

| BILL NO. | NAME                             | SUBJECT                                                                                                 | PAGE |
|----------|----------------------------------|---------------------------------------------------------------------------------------------------------|------|
| 1580     | Giorgetti, Nello                 | Tax Reform Package<br>Harrisburg, PA<br>November 30, 1988<br>2,500.00                                   | 1524 |
| 154      | Jacoby, George                   | Strategy 21<br>Harrisburg, PA<br>January 26-27, 1988<br>\$800.00                                        | 200  |
| 314      | Jacoby, George<br>Zabierek, Mark | Allegheny League of<br>Municipalities Conference<br>Seven Springs, PA<br>April 8-10, 1988<br>\$1,500.00 | 380  |

**COMMUNICATIONS**

**TRAVEL REQUEST**  
**MAYOR'S OFFICE - SOPHIE MASLOFF, MAYOR**

| BILL NO. | NAME                              | SUBJECT                                                                                                                                        | PAGE |
|----------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1716     | Jacoby, George<br>Leheny, Pat     | Tax Reform Package<br>Harrisburg, PA<br>November 15, 1988<br>\$600.00                                                                          | 1645 |
| 1118     | Jacoby, George<br>Leheny, Patrick | Tax Reform Package<br>Harrisburg, PA<br>May 19, 1988<br>\$700.00                                                                               | 1077 |
| 1119     | Kunka, Scott                      | Advanced Governmental Budgeting<br>Colorado Springs, CO<br>August 14-16, 1988<br>\$1,007.00                                                    | 1077 |
| 1461     | Leber, Jeffrey                    | Urban Consortium Environmental<br>Task Force<br>Washington, DC<br>October 31 - November 2, 1988<br>\$200.00                                    | 1414 |
| 1650     | Leber, Jeffrey                    | Urban Consortium's Meeting<br>December 2-5, 1988<br>Boston, MA<br>\$1,430.00                                                                   | 1603 |
| 723      | Liotus, Deborah                   | Third National Public Sector<br>Productivity Conference<br>New York, NY<br>June 7-10, 1988<br>\$700.00                                         | 736  |
| 281      | Schneider, Bernard                | National Public Employer<br>Labor Relations Association's<br>1988 Annual Conference<br>San Diego, CA<br>March 27 - April 1, 1988<br>\$1,700.00 | 344  |
| 57       | Simms, James                      | National Forum for Black Public<br>Administrators Conference<br>Fort Worth, TX<br>\$1,500.00                                                   | 76   |

**COMMUNICATIONS**

**TRAVEL REQUEST**

**MAYOR'S OFFICE - SOPHIE MASLOFF, MAYOR**

| BILL NO. | NAME             | SUBJECT                                                                                                        | PAGE |
|----------|------------------|----------------------------------------------------------------------------------------------------------------|------|
| 282      | Simms, James     | Annie E. Casey Foundation<br>New York, NY<br>Februaury 9, 1988<br>\$400.00                                     | 344  |
| 562      | Simms, James     | Annie E. Casey Foundation<br>Savannah, GA<br>April 21-23, 1988<br>\$50.00                                      | 605  |
| 593      | Simms, James     | Annie E. Casey Foundation<br>Harrisburg, PA<br>April 12, 1988<br>\$250.00                                      | 634  |
| 1050     | Simms, James     | Martin Luther King, Jr.<br>Federal Holiday Comission Conference<br>Atlanta, GA<br>July 28-31, 1988<br>\$600.00 | 1006 |
| 1769     | Simms, James     | National Forum for Black<br>Public Administrators<br>Birmingham, AL<br>April 15-20, 1989<br>\$1,500.00         | 1667 |
| 425      | Swanson, D'Ann   | Southwest School of<br>Governmental Finance<br>Lubbock, TX<br>May 14-19, 1988<br>\$1,350.00                    | 469  |
| 157      | Zabiererk, Mark  | Harrisburg, PA<br>Various Dates<br>February 15 to July 1, 1988<br>\$8,500.00                                   | 201  |
| 1073     | Zabriereck, Mark | State Legislators on Tax Reform Package<br>Harrisburg, PA<br>August 1, 1988 and various dates<br>\$2,500.00    | 1038 |

# COMMUNICATIONS

## TRAVEL REQUEST

### PARKS AND RECREATION - LOUISE BROWN, DIRECTOR

| BILL NO. | NAME                                                                                 | SUBJECT                                                                                                                                                                              | PAGE |
|----------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 181      | Ashley, Duane<br>Blyth, Henry<br>Roth, Diane                                         | Sponsorship Now Conference<br>Chicago, IL<br>March 27-30, 1988<br>\$3,424.80                                                                                                         | 236  |
| 917      | Baton, Tracy<br>Henning, Mindy<br>Layton, Joy<br>Struthers, Charles<br>Watts, Howard | Laurel Hylands Hiking Trail<br>in Cambria, Fayette, Somerset<br>and Westmoreland County<br>Quehanna Trail in Cameron<br>Clearfield Counties<br>(NO COST)<br>(City vehicle requested) | 904  |
| 788      | Brown, Louise                                                                        | Urban Park and Recreation Alliance<br>Cleveland, OH<br>June 2-4, 1988<br>\$500.00<br>(City vehicle requested)                                                                        | 787  |
| 1228     | Brown, Louise<br>Cogley, Joseph N.<br>Mancuso, Carl A.                               | National Recreation and Parks<br>Association 1988 Congress for<br>Parks and Recreation<br>Indianapolis, IN<br>October 5-10, 1988<br>\$3,294.00                                       | 1146 |
| 916      | Buchanan, Cindy<br>Rodgers, Joe                                                      | Pennsylvania Senior Games<br>Shippensburg, PA<br>August 1-6, 1988<br>\$300.00<br>(City vehicle requested)                                                                            | 904  |
| 1229     | Burek, Helen R.<br>Casciato, Rosanne<br>DeIulis, Theresa<br>Marks, Marjorie          | AAZPA National Conference<br>Milwaukee, WI<br>September 24-30, 1988<br>\$5,840.00                                                                                                    | 1146 |
| 1155     | Clack, Lindsay, Dr.                                                                  | Breeding Endangered Species<br>Cincinnati, OH<br>October 8-12, 1988<br>\$700.00                                                                                                      | 1103 |
| 1121     | Clack, Lindsay, Dr.                                                                  | American Federation of Aviculture<br>Tampa, FL<br>August 2-7, 1988<br>\$1,050.00                                                                                                     | 1077 |

**COMMUNICATIONS**

**TRAVEL REQUEST**

**PARKS AND RECREATION - LOUISE BROWN, DIRECTOR**

| BILL NO. | NAME                                               | SUBJECT                                                                                               | PAGE |
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| 1154     | Dziubek, Dan<br>Mancusco, Carl<br>Stumpp, Robert   | Reception/White House Ceremony<br>Washington, DC<br>July 25-26, 1988<br>\$350.00                      | 1103 |
| 790      | Ellerbrock, Herbert                                | 12th Annual International<br>Herpetological Symposium<br>Newark, NJ<br>June 15-18, 1988<br>\$728.00   | 787  |
| 70       | Eysenbach, Mary<br>Jones, Robert<br>Stumpp, Robert | Revenue Source Management School<br>Wheeling, W. VA<br>March 13-17, 1988<br>\$1,750.00                | 108  |
| 1053     | Giampolo, Margaret<br>Wilamowski, Bruce            | National Herb Growing and<br>Marketing Conference<br>Louisville, KY<br>July 17-20, 1988<br>\$1,276.80 | 1007 |
| 668      | Jewett, Karen                                      | City Dance '88<br>Washington, D.C.<br>May 18-20, 1988<br>\$200.00                                     | 702  |
| 69       | Leger, Paul                                        | Applied Zoo and Aquarium Biology<br>Wheeling, W.VA<br>February 7-11, 1988<br>\$600.00                 | 108  |
| 509      | Leger, Paul                                        | AAZPA Northeastern Regional Conference<br>Salisbury, MD<br>May 1-4, 1988<br>\$597.45                  | 543  |
| 1229     | Leger, Paul                                        | AAZPA National Conference<br>Milwaukee, WI<br>September 24 - October 2, 1988<br>\$5,840.00            | 1146 |
| 1226     | Maxim, Dennis                                      | AAZPA National Conference<br>Milwaukee, WI<br>September 24-30, 1988<br>\$1,335.00                     | 1146 |

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PARKS AND RECREATION - LOUISE BROWN, DIRECTOR

| BILL NO. | NAME                 | SUBJECT                                                                                                                                                   | PAGE |
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| 789      | Radley, Michael      | Peachtree 10K Road Race<br>Atlanta, GA<br>July 2-4, 1988<br>\$650.00                                                                                      | 787  |
| 306      | Senko, Michael       | National Council on Aging<br>Washington, D.C.<br>April 13-16, 1988<br>\$929.00                                                                            | 379  |
| 1052     | Strasser, Paula      | AAZPA National Conference<br>Milwaukee, WI<br>September 22-29, 1988<br>\$1,400.00                                                                         | 1007 |
| 1225     | Tague, Charles       | International Association of<br>Zoo Educators<br>Toronto, Ontario<br>October 2-7, 1988<br>\$1,000.00                                                      | 1145 |
| 510      | Wagner, Robert, VDM  | American Association of<br>Veterinarians Mid-Atlantic States<br>Association of Avian Veterinarians<br>Washington, D.C.<br>April 16-22, 1988<br>\$1,200.00 | 543  |
| 1398     | Wagner, Robert, VDM  | Breeding Endangered Species<br>Cincinnati, OH<br>October 9-12, 1988<br>\$278.25                                                                           | 1373 |
| 97       | Wikenhauser, Charles | AAZPA Conference and Midyear<br>Board and Accreditation Meeting<br>Monterey, CA<br>March 5-8, 1988<br>\$950.00                                            | 158  |
| 1227     | Wikenhauser, Charles | AAZPA National Conference<br>Milwaukee, WI<br>September 23-30, 1988<br>\$1,210.00                                                                         | 1146 |

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**MELANIE SMITH, DIRECTOR**

| BILL NO. | NAME                                                                | SUBJECT                                                                                                                         | PAGE |
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| 953      | Brown, Barbara                                                      | Private Indusry Council<br>Philadelphia, PA<br>June 15, 1988<br>\$334.00                                                        | 942  |
| 36       | Bruce, Richard                                                      | BOCA Mid-Winter Trust Conference<br>Springfield, MO<br>January 11-14, 1988<br>\$2,650.00                                        | 47   |
| 1109     | Burger, Barbara                                                     | Insight on Tiem Management Seminar<br>Greentree, PA<br>August 16, 1988<br>\$170.00                                              | 1075 |
| 1686     | Cambric, Alfred<br>McCafferty, Anne                                 | Joint Jobs Initative<br>Awards Ceremony<br>Hershey, PA<br>November 30, 1988<br>\$737.00                                         | 1621 |
| 642      | Carr, Maureen<br>Nichol, Roseann                                    | Department of Labor and Industry<br>Harrisburg, PA<br>April 21, 1988<br>\$612.83                                                | 675  |
| 1687     | Carr, Maureen<br>Fortson, Micheal<br>Nicol, Roseann                 | Labor and Industry<br>Joint Jobs Initiation Conference<br>Hershey, PA<br>December 1-2, 1988<br>\$1,120.67                       | 1621 |
| 1391     | Cohen, Stephen<br>King, Barbara<br>O'Toole, Beth<br>Woodcock, Terry | Hard Corps Challenge<br>Orientation Camp<br>Philadelphia, PA<br>September 27-30, 1988<br>\$1,085.00<br>(City vehicle requested) | 1371 |
| 26       | Farley, Dave                                                        | Urban Job Training Council<br>Washington, DC<br>January 20-21, 1988<br>\$600.00                                                 | 36   |



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| BILL NO. | NAME         | SUBJECT                                                                                                                                                                | PAGE |
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| 58       | Farley, Dave | PA Service Delivery Area<br>Association and the State Job<br>Training Coordinating Council<br>Harrisburg, PA<br>January 26-27, 1988<br>\$450.00                        | 77   |
| 253      | Farley, Dave | Labor and Industry<br>Harrisburg, PA<br>March 4, 1988<br>\$287.00                                                                                                      | 287  |
| 284      | Farley, Dave | State Job Training Council<br>Harrisburg, PA<br>April 12, 1988<br>\$229.00                                                                                             | 344  |
| 285      | Farley, Dave | PA Service Delivery Area Assoc.<br>Harrisburg, PA<br>March 24, 1987<br>\$257.00                                                                                        | 345  |
| 724      | Farley, Dave | Youth Urban Services Proposal<br>Harrisburg, PA<br>May 11, 1988<br>\$284.00                                                                                            | 737  |
| 910      | Farley, Dave | Meeting with the Secretary of<br>PA, Department of Labor and<br>Industry and the PA Service<br>Delivery Area Association<br>Harrisburg, PA<br>June 9, 1988<br>\$285.00 | 903  |
| 954      | Farley, Dave | Service Delivery Area Association<br>Harrisburg, Pa<br>July 21, 1988<br>\$315.00                                                                                       | 942  |
| 1051     | Farley, Dave | Pennsylvania Service Delivery Area<br>(Regarding JTPA programs)<br>Harrisburg, Pa<br>July 1, 1988 - June 30, 1989<br>\$5,000.00                                        | 1007 |

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| BILL NO. | NAME                                               | SUBJECT                                                                                                                                                 | PAGE |
|----------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1322     | Farley, Dave                                       | U.S. Department of Labor/National Alliance of Business Regional Forum<br>Washington, D.C.<br>Septebmer 7-8, 1988<br>\$446.00                            | 1286 |
| 1323     | Farley, Dave                                       | National Alliance of Business<br>New Orleans, LA<br>September 25-28, 1988<br>\$1,272.00                                                                 | 1286 |
| 848      | Farley, Dave<br>Jarzabek, William<br>King, Barbara | PA Service Delivery Area<br>Association's Annual Conference<br>Erie, PA<br>June 1-3, 1988<br>\$631.00                                                   | 824  |
| 564      | Farley, Dave<br>King, Barbara<br>Woodcock, Terry   | Urban Service Corps (2 units)<br>New York, NY and<br>Philadelphia, PA<br>April 6-8, 1988<br>\$2,000.00                                                  | 605  |
| 201      | Farley, David                                      | U.S. Conference of Mayor's<br>Urban Job Training Conference<br>Washington, D.C.<br>January 20-21, 1988<br>\$600.00                                      | 239  |
| 1548     | Farley, David                                      | Amending Bill 26/88<br>PA Department of Labor and<br>Industry and Service Delivery<br>Area Directors<br>Williamsport, PA<br>October 24, 1988<br>\$75.00 | 1496 |
| 1549     | Farley, David<br>King, Barbara<br>McCafferty, Anne | Single Point Contract<br>State College, PA<br>October 31 - November 1, 1988<br>\$398.00                                                                 | 1496 |
| 641      | Fortson, Walter                                    | Department of Labor and Industry<br>Harrisburg, PA<br>April 27, 1988<br>\$285.65                                                                        | 675  |

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| BILL NO. | NAME                                | SUBJECT                                                                                                                   | PAGE |
|----------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------|------|
| 911      | Fortson, Walter                     | JTPA Update Seminar<br>Harrisburg, PA<br>June 16, 1988<br>\$323.00                                                        | 903  |
| 322      | Fortson, Walter<br>McCafferty, Anne | U.S. Department of Labor<br>Performance Standard Conference<br>Washington, D.C.<br>March 30 - April 1, 1988<br>\$1,496.25 | 382  |
| 1222     | Gerall, Mina<br>King, Barbara       | San Francisco Conservation Corps<br>San Francisco, CA<br>August 14-19, 1988<br>\$3,579.00                                 | 1145 |
| 1321     | Jarzabek, Bill                      | Department of Labor and Industry<br>Management System Task Force<br>Harrisburg, PA<br>September 15, 1988<br>\$286.00      | 1285 |
| 1120     | Kennedy, Kathleen<br>Rodger, Helen  | International Conference on<br>Assessment Centers<br>Miami, FL<br>September 21-23, 1988<br>\$2,538.00                     | 1077 |
| 200      | King, Barbara                       | Summer Training and Education<br>Program Initiatives<br>Harrisburg, PA<br>February 17-18, 1988<br>\$450.00                | 239  |
| 252      | King, Barbara                       | National Job Training Partnership<br>Orlando, FL<br>April 16-20, 1988<br>\$965.00                                         | 287  |
| 529      | King, Barbara                       | PA Department of Labor and Industry<br>Philadelphia, PA<br>April 4, 1988<br>\$330.00                                      | 546  |

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| BILL NO. | NAME             | SUBJECT                                                                                                   | PAGE |
|----------|------------------|-----------------------------------------------------------------------------------------------------------|------|
| 595      | King, Barbara    | Hall of Fame Champions Banquet<br>Harrisburg, PA<br>May 3, 1988<br>\$314.74                               | 634  |
| 1152     | King, Barbara    | Single Point of Contract Project<br>Harrisburg, PA<br>August 2-3, 1988<br>\$419.00                        | 1103 |
| 1392     | King, Barbara    | Urban Youth Corps Plan<br>Harrisburg, PA<br>October 18, 1988<br>\$331.00                                  | 1372 |
| 1685     | King, Barbara    | Champions of Older Workers<br>Hall of Fame<br>Harrisburg, PA<br>December 8, 1988<br>\$290.00              | 1621 |
| 1463     | McCafferty, Anne | Youth Competencies Training<br>Harrisburg, PA<br>October 25-26, 1988<br>\$500.00                          | 1415 |
| 1437     | Stern, Howard    | Introduction to Human<br>Resource Information System<br>New York, NY<br>October 13-14, 1988<br>\$1,361.00 | 1396 |
| 725      | Woodcock, Terry  | Training Conference<br>State College, PA<br>\$220.00                                                      | 737  |

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### PUBLIC SAFETY - GLENN CANNON, DIRECTOR

| BILL NO. | NAME                                                                            | SUBJECT                                                                                                                                                                                                           | PAGE |
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| 205      | (12) Public Safety Representatives                                              | Pennsylvania Emergency Health Services Council<br>Harrisburg, PA<br>1988<br>\$3,000.00                                                                                                                            | 240  |
| 161      | (28) Police Lieutenants and Sergeants                                           | Police Supervisor In-Service Training Program<br>February 29, and March 1,2, 1988<br>\$2,990.00                                                                                                                   | 201  |
| 1526     | Arnold, Hayward                                                                 | Fire Service Course Development<br>National Fire Academy<br>Emmitsburg, MD<br>October 23 - November 4, 1988<br>\$183.00                                                                                           | 1492 |
| 1181     | Auvil, Norman<br>Henry, Frank<br>Kerestes, John                                 | Hazardous Materials Incident Response Operations<br>Cincinnati, OH<br>September 11-16, 1988<br>\$1,995.00<br>(City vehicle requested)                                                                             | 1139 |
| 1412     | Auvil, Norman<br>Henry, Frank<br>Kerestes, John                                 | Hazardous Materials Incident Response Operations<br>Cincinnati, OH<br>September 11-16, 1988<br>\$1,995.00<br>(City vehicle requested)<br>Amending Bill No. 1181 by changing the dates to<br>September 25-30, 1988 | 1391 |
| 114      | Back, Diane<br>Blackburn, D.<br>Douglas, Barbara<br>James, Cathy<br>Pamplin, E. | Improving Public Contact Skills<br>Hyatt Pittsburgh<br>Chatham Center<br>February 17, 1988<br>\$200.00                                                                                                            | 160  |
| 1447     | Bark, Brain                                                                     | APCO Quarterly meeting<br>Wilkes Barre, PA<br>October 13-14, 1988<br>\$50.00                                                                                                                                      | 1412 |

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| BILL NO. | NAME                             | SUBJECT                                                                                                                                                                         | PAGE |
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| 1706     | Bark, Brian<br>Martorano, Mark   | CAD Software Tape<br>Minneapolis, MN<br>December 17-19, 1988<br>\$733.00                                                                                                        | 1643 |
| 731      | Bauer, John                      | National Fire Academy<br>Emmitsburg, MD<br>June 12-24, 1988<br>\$183.00<br>(City vehicle requested)                                                                             | 738  |
| 1449     | Bauer, John                      | National Center for State<br>and Local Law Enforcement<br>Glynco, GA<br>October 24- November 4, 1988<br>\$831.00                                                                | 1412 |
| 1661     | Bauer, John                      | National Center for State<br>and Local Law Enforcement<br>Glynco, GA<br>October 24- November 4, 1988<br>\$831.00<br>Amending Bill No. 1449 to<br>adjust the expense to \$902.00 | 1617 |
| 688      | Bauer, John<br>Jedrzejski, Ralph | International Association of<br>Arson Investigators<br>Niagra Falls, NY<br>May 9-13, 1988<br>\$1,390.00                                                                         | 706  |
| 1139     | Bogges, Ronald                   | Command and Control of Fire<br>Department Major Operations<br>Emmitsburg, MD<br>September 11-23, 1988<br>\$183.00                                                               | 1100 |
| 1448     | Brandt, Robin                    | Governor's Crime Prevention<br>Awards Conference<br>Harrisburg, PA<br>October 13-14, 1988<br>\$198.00                                                                           | 1412 |

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| BILL NO. | NAME                               | SUBJECT                                                                                                                                         | PAGE |
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| 1413     | Brown, Michael                     | 1988 Crime Stoppers<br>Norfolk, VA<br>October 8-13, 1988<br>\$1,050.00                                                                          | 1391 |
| 204      | Brown, Micheal                     | Crime Stoppers Program<br>Birmingham, AL<br>February 11-14, 1988<br>\$595.00                                                                    | 240  |
| 839      | Buford, Earl<br>Vallone, Catherine | Seminars (2)<br>Advanced Crime Analysis aand<br>Managing Intelligence Data<br>Orlando, FL<br>June 13-18, 1988<br>\$2,052.00                     | 823  |
| 254      | Cannon, Glenn                      | Anti-Defamation League Law<br>Enforcement Mission to Isreal<br>March 13-22, 1988<br>(no cost)                                                   | 288  |
| 838      | Cannon, Glenn                      | Emergency Services Conference<br>Putting It All Together<br>Harrisburg, PA<br>June 9-12, 1988<br>\$525.00                                       | 823  |
| 1411     | Cannon, Glenn                      | International Association of<br>Chiefs of Police Conference<br>Portland, OR<br>October 14-19, 1988<br>\$1,387.00                                | 1391 |
| 1660     | Cannon, Glenn                      | Comprehensive Incident and<br>Stress Debriefing Seminar<br>Public Safety Training Academy<br>Pittsburgh, PA<br>February 11-12, 1989<br>\$750.00 | 1617 |
| 732      | Capozoli, Thomas                   | National Fire Academy<br>Emmitsburg, MD<br>May 22 - June 3, 1988<br>\$183.00<br>(City vehicle requested)                                        | 738  |

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| BILL NO. | NAME                                                 | SUBJECT                                                                                                                                            | PAGE |
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| 810      | Carrington, Jack                                     | Command and Control Fire Operations<br>Emmitsburgh, MD<br>July 31-August 12, 1988<br>\$183.00                                                      | 791  |
| 866      | Cimino, Dominick<br>Hegerle, Henry<br>Liff, Bernard  | Code Development and Education<br>Conference of Building Officials<br>Columbus, OH<br>June 19-24, 1988<br>\$3,500.00                               | 860  |
| 691      | Clair, Ellen                                         | National Federation of<br>Local Programmers<br>Tampa, FL<br>July 13-17, 1988<br>\$1,100.00                                                         | 707  |
| 886      | Colella, Brian                                       | Fire Department Instructors Conference<br>Cincinnati, OH<br>March 26-29, 1988<br>\$469.00                                                          | 897  |
| 1138     | Costa, Dominic                                       | Fire Arson Investigation<br>Emmitsburg, MD<br>September 12-23, 1988<br>\$183.00<br>(City vehicle requested)                                        | 1100 |
| 689      | Cunningham, Richard<br>Dobbs, John<br>Mellott, Kevin | National Fire and Burn<br>Educators Conference<br>Columbus, OH<br>May 13-15, 1988<br>\$1,142.00<br>(City vehicle requested)                        | 706  |
| 356      | Dacey, Philip<br>Rosato, Linda                       | Virginia School of Polygraph<br>Virginia Beach, VA<br>March 27 - May 21, 1988<br>\$11,120.00                                                       | 435  |
| 1383     | Dacey, Philip<br>Rosato, Linda                       | Virginia School of Polygraph<br>Virginia Beach, VA<br>March 27 - May 21, 1988<br>\$11,120.00<br>Amending 356/88 to read<br>March 27 - May 27, 1988 | 1370 |



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| BILL NO. | NAME                                                                     | SUBJECT                                                                                                                  | PAGE |
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| 938      | Daniel, John M.                                                          | Officer in Trouble<br>Washington, D.C.<br>July 17-20, 1988<br>\$916.00                                                   | 939  |
| 160      | Day, Arthur                                                              | State Fire Academy<br>Lewistown, PA<br>February 8-12, 1988<br>\$430.00                                                   | 201  |
| 1528     | DePalma, Diane<br>Myers, Jeannie<br>Toy, Tina-Pallago<br>Rizza, Margaret | Power Communication Skills<br>for Women<br>Monroeville, PA<br>November 17, 1988<br>\$192.00                              | 1492 |
| 80       | Denson, Harold<br>Heurbin, Thomas<br>Laush, Tony<br>McCaughan, Robert    | Ice Rescue Instructor Training<br>Bellefonte, PA<br>January 30-31, 1988<br>\$135.00                                      | 111  |
| 113      | Denson, Harold<br>Heurbin, Thomas<br>Laush, Tony<br>McCaughan, Robert    | Ice Rescue Instructor Training<br>Bellefonte, PA<br>January 30-31, 1988<br>\$135.00                                      | 160  |
| 1014     | DiNardo, Louis<br>Matorano, Mark                                         | Computer Aided Dispatch Consortium<br>Calisle, PA<br>July 6, 1988<br>\$156.00                                            | 1002 |
| 115      | Dickinson, C.                                                            | Serve on a Review Board<br>for N.F.A. Academy<br>Emmitsburg, MD<br>February 21 - March 4, 1988<br>No Cost (city vehicle) | 161  |
| 472      | Dickinson, Charles<br>Mellott, Kevin                                     | Fire Department Instructors Conference<br>Cincinnati, OH<br>March 26-30, 1988<br>\$1,015.00<br>(City vehicle requested)  | 506  |

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| BILL NO. | NAME                                                             | SUBJECT                                                                                                                                       | PAGE |
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| 255      | Fleming, Mary<br>Russell, James<br>Yorio, John                   | Building Officials Federation<br>1988 Annual School<br>Ellenville, NY<br>March 9-11, 1988<br>\$1,200.00                                       | 288  |
| 1381     | Fleming, Mary<br>Hegerie, Henry<br>Russell, James<br>Yorio, John | Pennsylvania Buliding<br>Officials Educational Conference<br>Valley Forge, PA<br>October 26-28, 1988<br>\$1,100.00                            | 1370 |
| 867      | Franz, Ronald<br>McDonald, Regina                                | Alcohol and Other Drug Abuse<br>Awareness Training<br>Monroeville, PA<br>June 21-24, 1988<br>\$390.00<br>(City vehicle requested)             | 860  |
| 1740     | Franz, Ronald<br>Leckie, John<br>McClellan, Alex<br>Snyder, John | DARE Training Program<br>December 4-16, 1988<br>Virginia Beach, VA<br>\$769.00<br>(City vehicle requested)                                    | 1662 |
| 837      | Friel, Robert<br>Harpur, John                                    | 73rd Annual BOCS Code Development<br>and Educational Conference<br>Columbus, OH<br>June 19-24, 1988<br>\$2,187.00<br>(City vehicle requested) | 823  |
| 647      | Full, Robert                                                     | Tank Car Safety Course<br>Pueblo, CO<br>May 22-28, 1988<br>No cost                                                                            | 676  |
| 868      | Garda, Lou                                                       | Racketeering and Organizaed<br>Crime Investigators/Prosecutors<br>Carlisle, PA<br>June 12-15, 1988<br>\$226.00<br>(City vehicle requested)    | 860  |

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### PUBLIC SAFETY - GLENN CANNON, DIRECTOR

| BILL NO. | NAME                                 | SUBJECT                                                                                                                          | PAGE |
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| 646      | Garreston, Doduglas                  | National Disaster Medical System<br>Portland, OR<br>April 21-24, 1988<br>No cost                                                 | 676  |
| 730      | Garreston, Robert<br>Kennedy, Robert | 11th Annual Emergency Health<br>Service Conference<br>Harrisburg, PA<br>June 10-12, 1988<br>\$806.00<br>(City vehicle requested) | 738  |
| 733      | Glass, Jack<br>Lacovey, David        | PA Emergency Health Services<br>Council Conference<br>Harrisburg, PA<br>June 9-12, 1988<br>\$818.00<br>(City vehicle requested)  | 738  |
| 1140     | Harper, Nathan<br>Starich, Steven    | Vascar Instructors Training<br>Traffic Division<br>September 14, 1988<br>\$300.00                                                | 1101 |
| 117      | Henry, Frank                         | Interpersonal Dynamics<br>Emmitsburg, MD<br>February 218 - March 11, 1988<br>\$232.00                                            | 161  |
| 940      | Henry, Frank                         | National Fire Academy<br>Emmitsburg, MD<br>June 19-24, 1988<br>\$160.00                                                          | 939  |
| 1476     | Jedrzejewski, Ralph                  | Arson for Profit - for<br>State and Local Investigators<br>Glynco, GA<br>October 24 - November 4, 1988<br>\$650.00               | 1452 |
| 1642     | Kennedy, Robert                      | SWAT Teams<br>Roanoke, Virginia<br>November 9-11, 1988<br>No Cost                                                                | 1602 |

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**PUBLIC SAFETY - GLENN CANNON, DIRECTOR**

| BILL NO. | NAME                                | SUBJECT                                                                                                                                                   | PAGE |
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| 1478     | Kennedy, Robert<br>Tutsock, Gregory | Ambulance Service Managers<br>Indiana, PA<br>October 19-20, 1988<br>\$180.00                                                                              | 1453 |
| 811      | Kolenda, Robert                     | Serve on a panel for the city<br>of Philadelphia as a rater for<br>the administering of a Deputy<br>Chief oral examination<br>June 12-19, 1988<br>No cost | 791  |
| 840      | Kolenda, Robert                     | Command and Control Fire Operations<br>Emmitsburg, MD<br>August 21 - September 2, 1988<br>\$183.00<br>(City vehicle requested)                            | 823  |
| 159      | Leahy, John                         | Metropolitan Fire Chiefs<br>Annual Conference<br>El Paso, TX<br>April 9-14, 1988<br>\$1,084.00                                                            | 201  |
| 600      | Leahy, John R.                      | Aerial T/Yask Force<br>Chicago, IL<br>May 4-7, 1988<br>\$830.00                                                                                           | 635  |
| 323      | Lenkner, Albert                     | Interpersonal Dynamics in<br>Fire Service Organizations<br>Emmitsburg, MD<br>March 20 - April 1, 1988<br>\$232.00                                         | 382  |
| 939      | Lewis, Charles<br>Trempus, William  | Pilot Course<br>National Fire Academy<br>Emmitsburg, MD<br>June 24-26, 1988<br>\$90.00                                                                    | 939  |
| 974      | Martorano, Mark                     | Consortium Meeting<br>Atlanta, GA<br>July 13-17, 1988<br>\$677.00                                                                                         | 963  |

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### PUBLIC SAFETY - GLENN CANNON, DIRECTOR

| BILL NO. | NAME                                                 | SUBJECT                                                                                           | PAGE |
|----------|------------------------------------------------------|---------------------------------------------------------------------------------------------------|------|
| 1382     | Martorano, Mark                                      | CAD Consortium Meeting<br>Topeka, KS<br>October 5-9, 1988<br>\$650.00                             | 1370 |
| 162      | Martorano, Mark<br>Mesaros, Andrew                   | C.A.D. Consortium Meeting<br>Minneapolis, MN<br>February 26-27, 1988<br>\$1,134.00                | 201  |
| 163      | Martorano, Mark<br>Mesaros, Andrew                   | C.A.D. Consortium Meeting<br>Kansas City, MO<br>January 8-9, 1988<br>\$893.00                     | 201  |
| 1330     | McCabe, Robert                                       | Homicide Seminar<br>Albany, NY<br>October 1-6, 1988<br>\$35.00                                    | 1294 |
| 1477     | McComb, Paul<br>Quinlan, Daniel<br>Valenta, William  | Organized Sexual Exploitation<br>Pittsburgh, PA<br>October 31 - November 4, 1988<br>\$120.00      | 1452 |
| 532      | McDonald, Regina                                     | Seventh Annual Crime<br>Protection Symposium<br>White Haven, PA<br>April 6-8, 1988<br>\$180.00    | 547  |
| 287      | McLellan, Karen<br>Passaro, Richard<br>Preik, Albert | Street Survival Seminar, 1988<br>Pittsburgh, PA<br>April 25- 27, 1988<br>\$440.00                 | 345  |
| 1567     | Merritt, Craig<br>Patterson, Edward                  | Traffic Safety Meeting<br>Washington, D.C.<br>November 28-30, 1988<br>\$459.00                    | 1522 |
| 355      | Mesaros, Andrew                                      | National CAD Consortium<br>Technical Committee<br>Minneapolis, MN<br>March 6-13, 1988<br>\$366.00 | 435  |

# COMMUNICATIONS

## TRAVEL REQUEST PUBLIC SAFETY - GLENN CANNON, DIRECTOR

| BILL NO. | NAME                                | SUBJECT                                                                                                                                     | PAGE |
|----------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|------|
| 471      | Mesaros, Andrew                     | National CAD Consortium Meeting<br>Minneapolis<br>March 20-27, 1988<br>\$399.00                                                             | 506  |
| 808      | Mesaros, Andrew<br>Staudacher, John | Computer Aided Dispatch<br>Various cities<br>Various dates<br>\$5,000.00                                                                    | 791  |
| 598      | Micknowski, Ray                     | Sexual Assault and Violent Crime<br>Butler, PA<br>April 22, 1988<br>\$30.00                                                                 | 635  |
| 1527     | Moran, John                         | Third National Resources and<br>Data Exchange Conference<br>Emmitsburg, MD<br>November 28 - December 2, 1988<br>\$105.00                    | 1492 |
| 645      | Morrissey, Janet<br>Rocco, Therese  | Public/Private Conference<br>Greensburg, PA<br>April 22, 1988<br>No cost<br>(City vehicle requested)                                        | 676  |
| 1291     | Nelson, Eunice                      | National Black Police Association<br>New Orleans, LA<br>September 4-11, 1988<br>No cost                                                     | 1280 |
| 885      | Orange, Richard                     | Municipal Police Officers'<br>Educational and Training Commission<br>Scranton, PA<br>June 8-9, 1988<br>\$175.00<br>(City vehicle requested) | 897  |
| 288      | Pampena, Ralph                      | National Executive Institute<br>FBI Academy<br>Quantico, VA<br>March 28 - April 2, 1988<br>\$61.00 (city vehicle)                           | 345  |

**COMMUNICATIONS**

**TRAVEL REQUEST  
PUBLIC SAFETY - GLENN CANNON, DIRECTOR**

| BILL NO. | NAME                            | SUBJECT                                                                                                                                                                 | PAGE |
|----------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 809      | Pampena, Ralph                  | National Executive Institute<br>FBI Academy<br>Quantico, VA<br>May 31-June 2, 1988 and<br>August 30-September 4, 1988<br>No cost                                        | 791  |
| 1183     | Recker, Regina<br>Woods, Vivian | Records Management Course<br>Robert Morris College<br>August 31, 1988<br>and continuing for 15 weeks<br>\$1,000.00                                                      | 1140 |
| 813      | Rizza, Margaret                 | International Association of<br>Chiefs of Police Seminar<br>Rockville, MD<br>June 1-3, 1988<br>\$977.00                                                                 | 792  |
| 1182     | Rocco, Theresa                  | Role Model Program<br>Mars, PA<br>July 22, 1988<br>No cost<br>(City vehicle requested)                                                                                  | 1140 |
| 1137     | Rudolph, Ronald                 | Fire Arson Investigation<br>Emmitsburg, MD<br>July 17-29, 1988<br>\$183.00<br>(City vehicle requested)                                                                  | 1100 |
| 81       | Schwab, Dan                     | International Society of Fire<br>Pittsburgh, PA<br>January 16, 1988<br>\$157.00                                                                                         | 111  |
| 1598     | Thomas, Eugene                  | Command and Control of<br>a Fire Department<br>Operation at<br>Catastrophic Disasters<br>Emmitsburg, MD<br>December 11-23, 1988<br>\$208.00<br>(City vehicle requested) | 1570 |

**COMMUNICATIONS**  
**TRAVEL REQUEST**  
**PUBLIC SAFETY - GLENN CANNON, DIRECTOR**

| BILL NO. | NAME              | SUBJECT                                                                                                                                | PAGE |
|----------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------|------|
| 286      | Toy-Palaggo, Tina | Annual Fire Department Conference<br>Cincinnati, OH<br>March 28-29, 1988<br>\$435.00                                                   | 345  |
| 599      | Trempus, William  | National Fire Academy<br>Emmitsburg, MD<br>April 25 - May 6, 1988<br>\$232.00                                                          | 635  |
| 690      | Trempus, William  | National Fire Academy<br>Emmitsburg, MD<br>April 25-May 6, 1988<br>\$232.00<br>(City vehicle requested)                                | 706  |
| 116      | Wasilewski, J.    | Command and Control of Major<br>Fire Department Operations<br>Emmitsburg, MD<br>February 22 - March 4, 1988<br>\$183.00 (city vehicle) | 161  |
| 812      | Wydrenski, Robert | NRA Rifle Instructor School<br>Allison Park, PA<br>June 13-17, 1988<br>\$315.00                                                        | 792  |
| 1065     | Zagrocki, John    | National Fire Academy<br>Emmitsburg, MD<br>June 6 - 16, 1988<br>\$424.00<br>(City vehicle requested)<br>AMENDING COUNCIL BILL NO. 840  | 1036 |



# COMMUNICATIONS

## TRAVEL REQUEST

### PUBLIC WORKS - LOUIS GAETANO, DIRECTOR

| BILL NO. | NAME                                                       | SUBJECT                                                                                                              | PAGE |
|----------|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------|
| 533      | Capretta, Ed<br>Horan, Jeff                                | Annual North American Snow Conference<br>Des Moines, IA<br>April 10 -13, 1988<br>\$1,700.00                          | 547  |
| 167      | Emenecker, Richard<br>Brother, F.S.C.                      | National Cable Television<br>Association Convention<br>Los Angeles, CA<br>April 30 - May 3, 1988<br>\$1,497.00       | 202  |
| 742      | Emenecker, Richard<br>Brother, F.S.C.<br>Pellegrini, Dante | How Cities Can Regulate and<br>Tax Communications Facilities<br>Chicago, IL<br>June 8, 1988<br>\$634.00              | 740  |
| 7241     | Emenecker, Richard<br>Brother, F.S.C.                      | Municipal Administration of<br>Cable Television<br>Madison, WI<br>June 15-16, 1988<br>(No Cost)                      | 740  |
| 1143     | Emenecker, Richard<br>Brother, F.S.C.                      | National Association of<br>Telecommunication Officers<br>Miami, FL<br>September 25-28, 1988<br>\$1,069.00            | 1101 |
| 1142     | Gaetano, Louis                                             | Compactor Demonstration<br>Newark, NJ<br>June 29-30, 1988<br>\$450.00                                                | 1101 |
| 1294     | Gaetano, Louis<br>Kraszewski, Ralph                        | International Public Works<br>Congresss and Equipment Show<br>Toronto, Canada<br>September 24-29, 1988<br>\$2,800.00 | 1281 |
| 955      | Matejko, Donnamarie                                        | Broadcast Engineers National Convention<br>Denver, Colorado<br>September 21-25, 1988<br>\$994.00                     | 942  |

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**COMMUNICATIONS**

**TRAVEL REQUEST**  
**PUBLIC WORKS - LOUIS GAETANO, DIRECTOR**

| BILL NO. | NAME             | SUBJECT                                                                                                | PAGE |
|----------|------------------|--------------------------------------------------------------------------------------------------------|------|
| 817      | Pecuch, Cindy R. | Script Writing Workshop<br>Rockport, MN<br>July 3-9, 1988<br>\$1,212.75                                | 792  |
| 87       | Staab, Lawrence  | International Television<br>Association Conference<br>Las Vegas, NV<br>April 10-16, 1988<br>\$2,982.27 | 112  |
| 1481     | Sweeney, Kevin   | Networld 88<br>Dallas, TX<br>September 27-28, 1988<br>\$995.00                                         | 1453 |
| 650      | Tiglio, Sam      | All Wheel Vehicle Demonstration<br>White Plains, NY<br>April 13-14, 1988<br>\$500.00                   | 677  |

**TRAVEL REQUEST**  
**WATER DEPARTMENT - ALEX SCUILLI, DIRECTOR**

| BILL NO. | NAME                                                                                        | SUBJECT                                                                                                  | PAGE |
|----------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------|
| 143      | Water Department<br>(10 Employees)                                                          | Training and Licensing Course<br>March 3, 10, and 12, 1988<br>\$1,300.00                                 | 199  |
| 313      | Blair, Edward<br>Bruecken, Tom<br>Sagmeister, Donna<br>States, Stanley<br>Wisloski, Raymond | American Water Works Assoc.<br>Spring Joint Meeting<br>Shenango, PA<br>March 4, 1988<br>\$72.00          | 380  |
| 1359     | Blair, Edward<br>States, Stanley                                                            | Current Issues in Water<br>Analysis and Treatment<br>St. Louis, MO<br>November 12-17, 1988<br>\$3,100.00 | 1322 |

**COMMUNICATIONS**

**TRAVEL REQUEST**

**WATER DEPARTMENT - ALEX SCUILLI, DIRECTOR**

| BILL NO. | NAME                                | SUBJECT                                                                                                                      | PAGE |
|----------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------|------|
| 1148     | Bruecken, Thomas                    | Annual Conference of the Water<br>Works Operation Association<br>University Park, PA<br>July 31 - August 3, 1988<br>\$500.00 | 1102 |
| 397      | Kearney, David<br>Wisioski, Raymond | New Jersey/Pennsylvania<br>American Water Works Association<br>Atlantic City, NJ<br>April 12-15, 1988<br>\$1,500.00          | 467  |
| 557      | Kutchka, John Dr.<br>Wolford, Randy | American Society for Microbiology<br>Miami, FL<br>May 7-13, 1988<br>\$3,600.00                                               | 603  |
| 589      | Pasquarelli, Albert<br>Suilli, Alex | American Water Works<br>Orlando, Florida<br>June 18-24, 1988<br>\$3,600.00                                                   | 633  |
| 246      | States, Stanley                     | Associaton of Safe Drinking Water<br>Charleston, S.C.<br>February 22- 25, 1988<br>\$1,000.00                                 | 286  |
| 344      | States, Stanley                     | American Water Works Research<br>Philadelphia, PA<br>January 6-8, 1988<br>\$400.00<br>(reimbursement)                        | 433  |

**MOTIONS**

**ABSTAINING**

| SPEAKER | SUBJECT                                                                                             | PAGE |
|---------|-----------------------------------------------------------------------------------------------------|------|
| Madoff  | Bill No. 127 - Recommending U.S. Congress not<br>support any further aid to the rebels in Nicaragua | 106  |

## **MOTIONS**

### **ADJOURN**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                       | <b>PAGE</b> |
|----------------|--------------------------------------------------------------------------------------|-------------|
| DePasquale     | Monday, January 11, 1988 and meet again<br>on Tuesday, January 19, 1988 at 2:00 P.M. | 62          |
| DePasquale     | Monday, May 16, 1988                                                                 | 779         |
| DePasquale     | Tuesday, May 31, 1988                                                                | 857         |
| DePasquale     | Monday, November 7, 1988                                                             | 1592        |
| Lyons          | Monday, June 6, 1988                                                                 | 891         |
| Lyons          | Monday, June 27, 1988 and meet again on<br>Tuesday, July 5, 1988 at 10:00 A.M.       | 998         |
| Lyons          | Monday, August 8, 1988                                                               | 1228        |
| Lyons          | Monday, August 8, 1988                                                               | 1231        |
| Lyons          | Monday, October 31, 1988                                                             | 1565        |
| Lyons          | Thursday, December 22, 1988 and meet again<br>December 27, 1988 at 2:00 P.M.         | 1779        |
| Madoff         | Monday, June 27, 1988 at 10:00 o'clock                                               | 959         |
| Madoff         | Monday, October 24, 1988                                                             | 1516        |
| Madoff         | Monday, October 24, 1988                                                             | 1611        |
| Madoff         | Monday, November 21, 1988                                                            | 1636        |
| Masloff        | Monday, January 4, 1988                                                              | 22          |
| Pollock        | Monday, December 12, 1988                                                            | 1653        |
| Pollock        | Monday, December 5, 1988                                                             | 1653        |
| Wagner         | Monday, May 23, 1988 and meet again<br>Tuesday, May 31, 1988 at 2:00 P.M.            | 817         |
| Wagner         | Tuesday, September 6, 1988 at 2:00 P.M.                                              | 1276        |
| Wagner         | Monday, November, 28, 1988                                                           | 1653        |
| Wagner         | Thursday, December 29, 1988                                                          | 1793        |
| Woods          | Monday, October 10, 1988<br>(Due to outburst of the crowd)                           | 1446        |

### **AMENDMENTS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                                                                | <b>PAGE</b> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Coyne          | Bill No. 413 - Nomination of South Side Pittsburgh<br>Works, LTV Steel Corporation to be a Historic<br>Site under Section 513 of Chapter 1007 of the<br>Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK)<br>to read "This resolution shall not affect any<br>attempt by Steel Valley Authority to re-open<br>the electric furnaces on this site" | 511         |

## MOTIONS

### AMENDMENTS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                     | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne   | Bill No. 1133 - Amending the Pittsburgh Code,<br>Title 2 - Fiscal, Article I, Administration,<br>Chapter 213, Investment and Disinvestment by<br>adding Section 213.04 - Northern Ireland<br>Investments<br>(SPONSORED BY MR. COYNE)                                                                        | 1211 |
| Coyne   | Bill No. 1134 - Amending the Pittsburgh Code,<br>Title 2 - Fiscal, Article III, Depositories,<br>Chapter 221, Contracts, by adding to the<br>requirements for the qualifications of banks<br>and lending institutions which desire to<br>qualify as depositories of City monies<br>(SPONSORED BY MR. COYNE) | 1211 |
| Ferlo   | Bill No. 11 - Motorized Fire Equipment for the<br>Department of General Services<br>Amending Resolution No. 281/87                                                                                                                                                                                          | 133  |
| Ferlo   | Bill No. 632 - Agreement and/or contract to<br>manufacture, supply, install and provide<br>necessay services related to new street signs<br>Amending Resolution No. 1041/87                                                                                                                                 | 759  |
| Ferlo   | Bill No. 640 - Accounting Firm (Independent) to<br>preform the annual audit for the City of<br>Pittsburgh for the period of three (3) years,<br>years ending December 31, 1988, 1989 and 1990                                                                                                               | 866  |
| Ferlo   | Bill No. 847 - Providing for the filing of a<br>petition for the sale of property acquired at<br>tax sale in accordance with Act No. 171 of 1984<br>(Rescindf Item F of Council Bill 847)                                                                                                                   | 910  |
| Ferlo   | Bill No. 1001 - Agreement with the Pittsburgh<br>Community Services, Inc. for the operation<br>and implementation of a City-Wide Food<br>Distribution and Services Program                                                                                                                                  | 1016 |
| Ferlo   | Bill No. 1141 - Vacating Scott Place, Fort Duquesne<br>Blvd. and Penn Avenue, 2nd Ward                                                                                                                                                                                                                      | 1259 |

## MOTIONS

### AMENDMENTS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 1337 - Lease with Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center; and<br>Bill No. 1338 - Agreement (Cooperation) URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) dollar, by including "Authorization for a ten year lease with the Three Rivers Rowing Association | 1375 |
| Ferlo   | Bill No. 454 - Amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh by changing Section 1 to read Emergency Food Trust Fund instead of Hunger Trust Fund and also, adding a Section 2 and Section 3<br>(SPONSORED BY MR. FERLO)                                                                                                                                                                                                                    | 1397 |
| Ferlo   | Bill No. 1655 - An Ordinance supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713, 715, 717, 719, 721, 723, 763, 765, 771, 773, 775, 777, and 779, by raising certain fees; \$200.00 to \$300.00 on a vendor with a vehicle and \$100.00 to \$200.00 for a street peddler vendor without a vehicle                                                                                                                                                                                                             | 1758 |
| Ferlo   | Bill No. 1657 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods; under Section 543.09, penalty of \$8.00 instead of \$10.00 and on Section 545.05, penalty \$8.00 instead of \$10.00 and elimination of the discount period                                                                                                                        | 1760 |

## MOTIONS

### AMENDMENTS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                    | PAGE |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Lyons   | Bill No 586 - Nominating the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code; by excusing Building 2,3,4 and 5 Repealing Resolution No. 185/88<br>(SPONSORED BY MR. FERLO)                                               | 749  |
| Madoff  | Bill No. 47 - Requesting the DER to do an Inventory of Upstream Contamination Threats to Drinking Water Supplies and an Emergency Plan of Action and requesting the City's Water Department to do a test of water quality near the Harrison Township lindane flow and the Bruin Lagoon- Bear Creek Site    | 137  |
| Pollock | Bill No. 29 - Adding the following sections to the other authorization language to allow 4 percent wage increase for non-union employees and elected officers; by deleting the members of Council Amending Resolution No. 1093/87                                                                          | 38   |
| Pollock | Bill No. 1491 - Authorizing the participation by the City of Pittsburgh in Pittsburgh Crime Stoppers, Inc.<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                                                   | 1551 |
| Pollock | Bill No. 1688 - Transferring \$71,000.00 within various accounts in the Department of Parks and Recreation                                                                                                                                                                                                 | 1671 |
| Pollock | Bill No. 1682 - Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1989; by amending the Office of the City Controller addition of the CPA at \$42,859.00                    | 1771 |
| Pollock | Bill No. 1683 - Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1989; by amending the Office of the City Controller to decrease the proposed change of \$69,442.00 for as-needed positions | 1772 |

## MOTIONS

### AMENDMENTS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                      | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Wagner  | Bill No. 148 - Lease to Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) year at the rate of \$845.00 per month, including certain terms and conditions, changing term of lease from five (5) years to 60 days                                                                                                                | 388  |
| Wagner  | Bill No. 513 - Contract/s for Sidewalk Ramps for the Handicapped at various locations                                                                                                                                                                                                                                                                        | 658  |
| Wagner  | Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991<br>Amending Resolution No. 222/88                                                                                                                                                           | 1108 |
| Wagner  | Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor<br>(SPONSORED BY MR. WAGNER)                                                                                           | 1215 |
| Woods   | Bill No. 359 - An Ordinance amending the Pittsburgh Code, Title One - Administrative, Chapter 191, Retirement and Severance Pay, Section 191.04 by changing "ineligible" to "eligible" for severance pay for accumulated sick leave days; adding after "regular employees" the words "not covered by union bargaining agreement"<br>(SPONSORED BY MR. WOODS) | 509  |

### AMEND ORALLY

| SPEAKER | SUBJECT                                                                                                                                                                                                                              | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Bill No. 225 - An agreement with the American Wind Symphony for 1987 services by reading Pittsburgh's American Waterways Wind Orchestra instead of the Pittsburgh American Waterways Wind Orchestra<br>Amending Resolution No. 74/B7 | 413  |



### **MOTIONS**

#### **AMENDED BY SUBSTITUTE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Lyons          | Bill No. 1145 - Agreement with North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side | 1308        |

#### **APPEAR BEFORE COUNCIL**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                     | <b>PAGE</b> |
|----------------|--------------------------------------------------------------------------------------------------------------------|-------------|
| Lyons          | Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991 | 1288        |
| Lyons          | Bill No. 1328 - Appointment of James F. Lally, to the Board of Code Review for a term to expire September 30, 1991 | 1289        |
| Woods          | Bill No. 301 - Appointment of Robert Watson, City Court for a term to expire March, 1992                           | 374         |

#### **APPOINTMENTS AND REAPPOINTMENTS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                           | <b>PAGE</b> |
|----------------|------------------------------------------------------------------------------------------|-------------|
| DePasquale     | Ben Woods, President Pro-Tem of City Council                                             | 112         |
| Madoff         | Requesting that Mr. Alex Sculli be included as a member of the Water and Sewer Authority | 779         |

#### **APPROVAL OF APPOINTMENTS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                       | <b>PAGE</b> |
|----------------|------------------------------------------------------------------------------------------------------|-------------|
| DePasquale     | Appointments - April 4, 1988                                                                         | 548         |
| DePasquale     | Reappointments to the Historic Review Commission, Bill Nos. 579, 580, and 581                        | 620         |
| DePasquale     | Bill No. 495 - Appointment of John Noonan, to the Board of Adjustments<br>Term to expire April, 1991 | 643         |

## MOTIONS

### APPROVAL OF APPOINTMENTS

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                        | PAGE |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| DePasquale | Bill Nos. 859 - 863, Reappointments to the Pittsburgh Housing Authority                                                                                                                                                                        | 848  |
| DePasquale | Bill No. 1243 - Appointing Councilman Jim Ferlo as a member of the Pittsburgh Equipment Leasing Authority for a term to expire January 1, 1993                                                                                                 | 1182 |
| DePasquale | Bill No. 1244 - Appointing Councilman Jack Wagner as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989                                                                                | 1186 |
| Lyons      | Bill No. 496 - Appointment of Timothy G. Uhrich, to the Water and Sewer Authority, term to expire April, 1993                                                                                                                                  | 646  |
| Lyons      | Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review Term to expire April, 1991                                                                                                                                         | 650  |
| Lyons      | Bill No. 504 - Appointment of Stephen Cohen, to the Art Commission For the term of the Mayor                                                                                                                                                   | 651  |
| Lyons      | Bill No. 506 - Appointment of Mark William, to the Art Commission For the term of the Mayor                                                                                                                                                    | 651  |
| Lyons      | Bill No. 547 - Appointment of Walter Sims, to the Art Commission For the term of the Mayor                                                                                                                                                     | 651  |
| Lyons      | Appointments, Bill Nos. 883 and 884                                                                                                                                                                                                            | 885  |
| Lyons      | Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz to the Commission on Human Relations, term to expire July, 1992 and; also Bill No. 1131 - Appointment of Floyd Titus to the Commission on Human Relations, term to expire July, 1992 | 1087 |
| Lyons      | Bill No. 2030 - Rabbi Richard M. Marcovitz to the Commission on Human Relations for a term to expire July, 1992, and; also Bill No. 2031 - Floyd Titus to the Commission on Human Relations for a term to expire July, 1992                    | 1147 |

## MOTIONS

### APPROVAL OF APPOINTMENTS

| SPEAKER | SUBJECT                                                                                                                                                                | PAGE |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Lyons   | Bill No. 1328 - Appointment of James F. Lally,<br>to the Board of Code Review for a term to<br>expire September 30, 1991                                               | 1286 |
| Wagner  | Bill No. 272 - Appointment of Sophie Masloff<br>as President of the Board of Trustees<br>of the Comprehensive Municipal Pension Trust<br>Term to expire February, 1992 | 332  |
| Woods   | Bill No. 301 - Appointment of Robert Watson,<br>City Court for a term to expire March, 1992                                                                            | 374  |
| Woods   | All reappointees and all members of Council                                                                                                                            | 526  |
| Woods   | Bill No 501 - Reappointment of Arthur Schock,<br>to the Board of Code Review<br>Term to expire April, 1991                                                             | 647  |
| Woods   | Bill No. 502 - Appointment of Eugene V. Dotter,<br>to the Board of Code Review, term to expire<br>April, 1991 (TABLED)                                                 | 650  |

### APPROVAL OF RESOLUTIONS

| SPEAKER | SUBJECT                                                                                                                                                                                                                 | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 196 - Transferring \$40,000.00 from C.A. 57,<br>Social Security Fund to C.A. 1001-2, Salaries,<br>Wages and Services of Council, as needed<br>(SPONSORED BY MICHELLE MADOFF)                                   | 296  |
| Wagner  | Bill No. 1818 - Transferring \$20,000.00 from Code<br>Account 1074, Salaries and Wages, Department<br>of Law, to Code Account 1420-2, Salaries, Bureau<br>of Emergency Medical Services, Department of<br>Public Safety | 1781 |
| Wagner  | Bill No. 1819 - Transferring \$5,000.00 from Code<br>Account 1074, Salaries and Wages, to Code Account<br>1022, Salaries, Regular Employees                                                                             | 1781 |

## MOTIONS

### CHALLENGING OUT OF ORDER RULING

| SPEAKER | SUBJECT                                                                                                                                                                   | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns - Separation of State and Church | 67   |

### CLOSE NOMINATIONS

| SPEAKER    | SUBJECT                                      | PAGE |
|------------|----------------------------------------------|------|
| DePasquale | Ben Woods, President Pro-Tem of City Council | 121  |

### DEFEAT AMENDMENT

| SPEAKER    | SUBJECT                                                                                                                                                                                                                           | PAGE |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| DePasquale | Bill No. 29 - Adding the following sections to the other authorization language to allow 4 percent wage increase for non-union employees and elected officers; by deleting the members of Council Amending Resolution No. 1093/87 | 45   |

### EFFECTIVE DATE OF LEGISLATION

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                      | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Wagner  | All bill passed Monday, December 19, 1988 shall become effective on December 31, 1988 with the exception of the following bills which shall become effective January 1, 1989; Bill Nos. 1610, 1621, 1787, 1788, 1673, 1691, 1692, 1693, 1656, 1658, and 1659 | 1770 |
| Wagner  | December 31, 1988 on the following:<br>Bill Nos. 1805, 1801, 1763, 1802, 1803, 1804, 1657, 1682, 1683, and 1684                                                                                                                                              | 1779 |

## **MOTIONS**

### **EFFECTIVE DATE OF LEGISLATION**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                    | <b>PAGE</b> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------|
| Wagner         | Home Rule Charter, Section 322, effective date of Bill Nos. 1179 and 1214 shall be the date on which they are signed by the Mayor | 1258        |

### **EFFECTIVE DATE OF LEGISLATION TO BE THE DATE SIGNED BY MAYOR**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                            | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Pollock        | Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. POLLOCK) | 516         |
| Wagner         | Bill No. 720 - Making certain additions and corrections Amending Resolution No. 1092/87                                                                                                   | 828         |
| Wagner         | Bill No. 721 - Making certain additions and corrections Amending Resolution No. 1093/87                                                                                                   | 828         |
| Wagner         | Bill No. 951 - Transferring \$225,000.00 from Code Account 57-1, Pay-Sick Leave to Code Account 30, . Refunds All other taxes                                                             | 1012        |

## **EVENING HEARING**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                         | <b>PAGE</b> |
|----------------|------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Bill No. 63 - Lawrenceville Residents Proposal of West Penn Hospital to install a 772 car parking lot in Lawrenceville | 80          |

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MOTIONS

EXCUSED ABSENCE - MICHEAL COYNE

| SPEAKER    | SUBJECT                      | PAGE |
|------------|------------------------------|------|
| DePasquale | Coyne, Michael, May 31, 1988 | 856  |
| Madoff     | Coyne, Michael, June 6, 1988 | 892  |

EXCUSED ABSENCE - EUGENE P. DEPASQUALE

| SPEAKER | SUBJECT                               | PAGE |
|---------|---------------------------------------|------|
| Woods   | DePasquale, Eugene, February 1, 1988  | 190  |
| Pollock | DePasquale, Eugene, February 8, 1988  | 232  |
| Wagner  | DePasquale, Eugene, December 22, 1988 | 1779 |
| Wagner  | DePasquale, Eugene, December 29, 1988 | 1793 |

EXCUSED ABSENCE - JIM FERLO

| SPEAKER | SUBJECT                   | PAGE |
|---------|---------------------------|------|
| Lyons   | Ferlo, Jim, July 18, 1988 | 1089 |

EXCUSED ABSENCE - OTIS LYONS

| SPEAKER    | SUBJECT                         | PAGE |
|------------|---------------------------------|------|
| Madoff     | Lyons, Otis, September 19, 1988 | 1316 |
| DePasquale | Lyons, Otis, September 26, 1988 | 1386 |
| Wagner     | Lyons, Otis, December 19, 1988  | 1770 |
| Wagner     | Lyons, Otis, December 27, 1988  | 1782 |
| Wagner     | Lyons, Otis, December 29, 1988  | 1793 |

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## MOTIONS

### EXCUSED ABSENCE - MICHELLE MADOFF

| SPEAKER    | SUBJECT                              | PAGE |
|------------|--------------------------------------|------|
| DePasquale | Madoff, Michelle, March 7, 1988      | 428  |
| DePasquale | Madoff, Michelle, April 4, 1988      | 595  |
| DePasquale | Madoff, Michelle, April 11, 1988     | 624  |
| Lyons      | Madoff, Michelle, September 12, 1988 | 1316 |
| Lyons      | Madoff, Michelle, October 18, 1988   | 1488 |

### EXCUSED ABSENCE - SOPHIE MASLOFF

| SPEAKER    | SUBJECT                      | PAGE |
|------------|------------------------------|------|
| DePasquale | Masloff, Sophie, May 2, 1988 | 722  |

### EXCUSED ABSENCE - MARK POLLOCK

| SPEAKER    | SUBJECT                           | PAGE |
|------------|-----------------------------------|------|
| DePasquale | Pollock, Mark, May 2, 1988        | 722  |
| Woods      | Pollock, Mark, May 23, 1988       | 817  |
| DePasquale | Pollock, Mark, May 31, 1988       | 856  |
| Madoff     | Pollock, Mark, June 6, 1988       | 892  |
| Lyons      | Pollock, Mark, June 13, 1988      | 856  |
| Madoff     | Pollock, Mark, June 20, 1988      | 959  |
| DePasquale | Pollock, Mark, June 27, 1988      | 959  |
| Lyons      | Pollock, Mark, July 5, 1988       | 1030 |
| Lyons      | Pollock, Mark, September 12, 1988 | 1316 |
| DePasquale | Pollock, Mark, September 26, 1988 | 1386 |
| DePasquale | Pollock, Mark, October 3, 1988    | 1386 |
| Madoff     | Pollock, Mark, November 28, 1988  | 1653 |

### EXCUSED ABSENCE - BEN WOODS

| SPEAKER | SUBJECT                      | PAGE |
|---------|------------------------------|------|
| Pollock | Woods, Ben, February 2, 1988 | 232  |

**MOTIONS**  
**FLOOR MOTIONS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                  | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Requesting the appointment of a committee of Council to formulate a request for a proposal seeking out qualified bidders, law firms, who will draft legislation at some dollar figure                                                           | 1562        |
| Ferlo          | Asking Public Works not to give out any more permits for any more signs, until the bill comes up for debate                                                                                                                                     | 1635        |
| Madoff         | Letter to the Administration requesting the elimination of the words "not to exceed" and keep the number out by administrative order                                                                                                            | 1559        |
| Madoff         | Amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations, Chapter 993, Exceptions, Section 993.01(a)c(3) by adding, "final recommendation shall require at least five affirmative votes of the appointed Commission members" | 948         |
| Madoff         | Independent evaluation by Underwriters' Lab on the purchase and operation of the Piere Tiller Trucks                                                                                                                                            | 955         |

**HEARING**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                        | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Madoff         | Bill No. 64 - Communication from Charles Blocksidge, Ph.D., Director of Property Assessment, County of Allegheny, submitting the Certified Total Assessments of land and building for the City of Pittsburgh<br>Reassessments done two years in a row | 79          |



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### MOTIONS

#### HOLD FOR ONE WEEK

| SPEAKER | SUBJECT                                                                                                                                            | PAGE |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Masloff | Ben Woods, President Pro-Tem of City Council                                                                                                       | 120  |
| Madoff  | Bill No. 13 - Consultation on "Underground Storage<br>Tank Management at the City Garage Facilities                                                | 216  |
| Madoff  | Bill No. 795 - Agreement for the design and<br>construction of the Main Salt Storage Dome<br>and Satellite Domes<br>Amending Resolution No. 390/85 | 906  |

#### HOLD FOR TWO WEEKS

| SPEAKER | SUBJECT                      | PAGE |
|---------|------------------------------|------|
| Wagner  | Appointments - April 4, 1988 | 550  |

#### HOLD FOR PUBLIC HEARING

| SPEAKER | SUBJECT                                                    | PAGE |
|---------|------------------------------------------------------------|------|
| Ferlo   | Five different bills known as the Pittsburgh<br>Hunger Act | 529  |

#### INTERVIEW APPOINTMENTS

| SPEAKER | SUBJECT                                                                                      | PAGE |
|---------|----------------------------------------------------------------------------------------------|------|
| Woods   | All appointees on Wednesday, March 30                                                        | 527  |
| Masloff | Bill No. 547 - Appointment of Walter Sims to the<br>Art Commission for the term of the Mayor | 590  |

## MOTIONS

### INVITATION TO MEET WITH COUNCIL

| SPEAKER | SUBJECT                                                                | PAGE |
|---------|------------------------------------------------------------------------|------|
| Madoff  | Koppers Company President, Mr. Tenley to come<br>and meet with Council | 931  |

### LEGAL OPINION

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                     | PAGE |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 61 - Purchase, lease or installation of<br>materials with the regulation and utilization<br>of the City of Pittsburgh's Cable Communications<br>System                                                                                                             | 168  |
| Madoff  | Support of Council in obtaining a legal opinion                                                                                                                                                                                                                             | 184  |
| Wagner  | Bill No. 100 - Parking Authority, Stadium Authority<br>and URA to purchase bituminous materials, to<br>include other municipalities and governmental<br>agencies outside the City<br>Amending Resolution No. 1215/82<br>(SPONSORED BY MR. FERLO)                            | 249  |
| Wagner  | To provide parliamentary procedure that is implemented<br>when a bill is defeated due to a lack of five<br>votes since Council is operating with eight<br>members and to quote Robert's Rules of Order or<br>whatever parliamentary rule exists supporting<br>that position | 1315 |
| Woods   | Requesting a ruling on the Home Rule Charter;<br>appointments To Boards and Commissions                                                                                                                                                                                     | 149  |

### LETTERS TO ADMINISTRATION

| SPEAKER | SUBJECT                                                                                                                                                 | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Letter to Mayor concerning possible cutbacks in the<br>Department of Environmental Services, specifically<br>the refuse workers and the number of crews | 1378 |
| Ferlo   | Letter to Mayor and the Solicitor concerning the Salver<br>contract issuance to be put on hold until review                                             | 1358 |

## **MOTIONS**

### **LETTERS TO ADMINISTRATION**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                         | <b>PAGE</b> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Suggesting to the Administration that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion | 1505        |
| Ferlo          | Letter to the Mayor and Fire Chief requesting a formal letter to be sent regarding the incident of a broken axle and a blown transmission on one of the new tiller trucks              | 1314        |
| Ferlo          | Letter to the administration concerning support of the foremen's union to rediscuss contract                                                                                           | 224         |
| Ferlo          | Suggesting to the Administration that City employees traveling on City time act as promotional ambassadors by taking a brochure prepared by the Greater Pittsburgh Office of Promotion | 1505        |
| Madoff         | To Mayor Masloff regarding the "Paramedic's Union Reject Proposal by City to Sell Grievance" article in the Pittsburgh Press (radio issue)                                             | 1027        |

### **LETTER TO GOVERNOR CASEY**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                                                | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Wagner         | Health care programs including Blue Cross of Western Pennsylvania are planning to increase its drug prescription program for senior citizens effective September 1, 1988. Letter requested to Governor Casey asking him to suspend the rate increases until a public hearing is held. Also, requesting input on generic drugs | 1274        |

### **LETTER TO SENATE HEARING COMMITTEE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                 | <b>PAGE</b> |
|----------------|----------------------------------------------------------------|-------------|
| Madoff         | Urging them to pass tax reform legislation as soon as possible | 232         |

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### MOTIONS

#### LETTERS SENT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                            | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne   | Encouraging the governor to allot the extra half-million dollars for the hemophilia program so that it can be maintained at its current status                                                                                                                     | 929  |
| Coyne   | Concerning Senator Romeanelli's death, requesting Council send a letter of condolences in appreciation of his Work and service                                                                                                                                     | 1487 |
| Coyne   | Allegheny County Delegations of the State Legislature calling for an investigation of the possibility of implementing a storm drainage management plan for the State of Pennsylvania                                                                               | 1502 |
| Ferlo   | Supporting a letter going from Council to the City Administration regarding the City's salver contract                                                                                                                                                             | 1192 |
| Madoff  | Alcosan Issue                                                                                                                                                                                                                                                      | 274  |
| Madoff  | Situation concerning the purchase of radios for the Department of Public Safety and the issue concerning 911                                                                                                                                                       | 852  |
| Madoff  | Board Members of Carnegie Mellon University concerning the apartheid issue in regards to Bill No. 734 - Granting to Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward | 922  |
| Madoff  | Requesting from Public Works the rationale as to why various streets are being repaved such as Shady Avenue                                                                                                                                                        | 1508 |

#### LOBBYISTS

| SPEAKER | SUBJECT                                                                                                                                                                                                | PAGE   |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Wagner  | Issue of tax reform for the City of Pittsburgh and urging the Mayor's Office to take a more active role in pushing for state reform, by requesting a full-time lobbyist in Harrisburg on a daily basis | 1484I. |

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## MOTIONS

### MEETINGS

| SPEAKER | SUBJECT                                                                   | PAGE |
|---------|---------------------------------------------------------------------------|------|
| Wagner  | Issue concerning employees of the School Board who are not City residents | 332  |

### MONDAY MEETINGS

| SPEAKER | SUBJECT                                                                                    | PAGE |
|---------|--------------------------------------------------------------------------------------------|------|
| Wagner  | Proposing to be held at 10:00 A.M. instead of 2:00 P.M. from May 31, until Labor Day, 1988 | 855  |

### MOTION

| SPEAKER | SUBJECT                                                                                                                                                                                                                                          | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | That City Council, together with the Mayor, sponsor a bon voyage to the four percent wage tax and requesting each Councilmember to kick in a case of champagne and invite the City of Pittsburgh down to the lobby the first day back in January | 1779 |

### MOTION DEFEATED TO RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                            | PAGE |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne   | Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991<br>Amending Resolution No. 222/88 | 1110 |

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### MOTIONS

### NOMINATIONS

| SPEAKER | SUBJECT                                           | PAGE |
|---------|---------------------------------------------------|------|
| Lyons   | Honorable Sophie Masloff for President of Council | 5    |
| Ferlo   | Honorable Jack Wagner for President of Council    | 6    |
| Madoff  | President pro tem, Mark Pollock                   | 122  |
| Lyons   | President pro tem, Ben Woods                      | 354  |
| Madoff  | President pro tem, Mark Pollock                   | 355  |

### NON-BINDING RESOLUTION

| SPEAKER | SUBJECT                                                             | PAGE |
|---------|---------------------------------------------------------------------|------|
| Ferlo   | Independent counsel providing it doesn't increase the future budget | 218  |

### OPPOSING AMENDMENT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                             | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Wagner  | Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for the vacancy in the Office of the Mayor (SPONSORED BY MR. WAGNER) | 1215 |

### OUT OR ORDER

| SPEAKER | SUBJECT                                                                                                                                                                   | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Masloff | Bill No. 67 - Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns - Separation of State and Church | 67   |

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### MOTIONS

#### OVERRIDE CHAIR

| SPEAKER | SUBJECT                                                      | PAGE |
|---------|--------------------------------------------------------------|------|
| Wagner  | Hold one week - Ben Woods, President Pro-Tem of City Council | 120  |

#### OVERRIDE VETO

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                                                                                                | PAGE |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Madoff     | Bill No. 170 - Veto - Bill No. 47 - Instructing the City Solicitor and certain Directors to undertake certain activities in regard to the contamination in the Allegheny River                                                                                                                                                         | 203  |
| Lyons      | Bill No. 171 - Veto - Bill Nos. 75 and 76 - "Amending the budget by adding as an employee a legal advisor and appropriating additional funds from the Social Security fund"                                                                                                                                                            | 209  |
| DePasquale | Bill No. 708 - An Ordinance amending Title 10, Chapter 1013 of the Pittsburgh Code to allow public input into the building variance process                                                                                                                                                                                            | 1147 |
| Coyne      | Bill No. 849 - An Ordinance amending Title 10, Building, Article III, of the Pittsburgh Code by adding a new subsection to the 1987 BOCA National Building Code which prohibits plastic pipe, and non-metallic tubing for waste, vent, drain and water supply in all buildings except one and two family dwellings                     | 1149 |
| Ferlo      | Bill No. 1021 - Resolution authorizing an agreement to implement a "City-wide food distribution and services program" at a cost not to exceed \$200,000.00 and; also Bill No. 1015 - Transferring the aggregate amount of \$200,000.00 from various code accounts to Code Account No. 1103, Misc. Service, Department of City Planning | 1236 |
| Ferlo      | Bill No. 1054 - VETO - Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh                                                                                                                                                                                                                                     | 1008 |

## MOTIONS

### OVERRIDE VETO

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                      | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 1076 - Resolution amending Section 1 of Resolution No. 987 approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with Parks and Recreation's Swimming Pools Program" by providing for scheduled fees <u>only for the year 1988</u>                                                             | 1240 |
| Ferlo   | Bill No. 1308 - Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Contracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office (SPONSORED BY MR. WAGNER) | 1692 |
| Coyne   | Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts" (SPONSORED BY MR. FERLO)                                                                                          | 1783 |

### PERSONNEL LIST

| SPEAKER | SUBJECT                                                      | PAGE |
|---------|--------------------------------------------------------------|------|
| Ferlo   | URA (Urban Redevelopment Authority and the Housing Authority | 369  |
| Ferlo   | All City Authorities                                         | 373  |



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## MOTIONS

### PRESIDENCY OF COUNCIL

| SPEAKER | SUBJECT                                                                    | PAGE |
|---------|----------------------------------------------------------------------------|------|
| Wagner  | Giving the President Pro tem full powers of the<br>Presidency of Council   | 723  |
| Ferlo   | Issue regarding the Mayor's appointment of<br>Mr. Walkowski and Mr. Noonan | 622  |

### PUBLIC HEARINGS

| SPEAKER | SUBJECT                                                                                                                                                       | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Conditional Use Application No. 540 for Allegheny<br>County Medical Society Expansion                                                                         | 664  |
| Lyons   | Bill No. 1185 - Implementation of a Residential<br>Permit Parking Program in portions of the<br>Squirrel Hill-CMU Community<br>Amending Resolution No. 269/87 | 1220 |
| Madoff  | Shadyside's parking problem, requesting hearing<br>on subject                                                                                                 | 100  |
| Madoff  | Report of the solid waste treatment post agenda<br>meeting                                                                                                    | 190  |
| Wagner  | Letter from paramedics (EMT's) regarding the new<br>test given by the Civil Service Commission                                                                | 320  |

### RECAST VOTE

| SPEAKER | SUBJECT                                                                                                                                             | PAGE |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Bill No. 1015 - Transferring \$200,000.00 from various<br>Code Accounts to Code Account 1103, Miscellaneous<br>Services<br>(SPONSORED BY MR. FERLO) | 1158 |

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### MOTIONS

#### RECESS

| SPEAKER | SUBJECT                                                                                                                                                     | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Three Minute Recess                                                                                                                                         | 1988 |
| Wagner  | Pending the sale of the Equipment Leasing<br>Authority Revenue Bonds                                                                                        | 1988 |
| Lyons   | Monday, August 15, 1988                                                                                                                                     | 1988 |
| Woods   | Five (5) Minutes, Monday, November 14, 1988                                                                                                                 | 1988 |
| Wagner  | Monday, December 19, 1988 and meet again<br>Thursday, December 22, 1988 immediately<br>following the Standing Committee Meeting<br>scheduled for 10:00 A.M. | 1988 |
| Ferlo   | Tuesday, December 27, 1988 and meet again<br>on Thursday, December 29, 1988 at 10:30                                                                        | 1988 |

#### RECEIVE AND FILE

| SPEAKER | SUBJECT                                                                    | PAGE |
|---------|----------------------------------------------------------------------------|------|
| Lyons   | Appointments and reappointments<br>Bill Nos. 759-763, Monday, May 16, 1988 | 778  |

#### RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                        | PAGE |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne   | Bill No. 651 - Agreement with the Ernest T. Williams,<br>Jr. Memorial Center for services in connection<br>with the East End Raiders Football Program<br>(SPONSORED BY MRS. MASLOFF)           | 760  |
| Coyne   | Bill No. 1015 - Transferring \$200,000.00 from various<br>Code Accounts to Code Account 1103, Miscellaneous<br>Services<br>(SPONSORED BY MR. FERLO)                                            | 1078 |
| Coyne   | Bill No. 1021 - Agreement with Pittsburgh Community<br>Services, Inc. for the operation and implementation<br>of a Citywide Food Distribution and Services Program<br>(SPONSORED BY MR. FERLO) | 1081 |

## MOTIONS

### RECOMMIT

| SPEAKER    | SUBJECT                                                                                                                                                                                                                                                            | PAGE |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne      | Bill No. 1112 - Agreement for the Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991                                                                                                   |      |
|            | Amending Resolution No. 222/88                                                                                                                                                                                                                                     | 1109 |
| Coyne      | Bill No. 1106 - Agreement with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus                                                                                                                                 | 1171 |
| DePasquale | Bill No. 12 - Amending Resolution 1187/87, by increasing line item GS 87-01 and adjusting the summary totals                                                                                                                                                       | 137  |
| DePasquale | Bill No. 792 - Contract/s for P.J. McArdle Roadway Sidewalk Rehabilitation                                                                                                                                                                                         |      |
|            | Amending Resolution No. 112/88                                                                                                                                                                                                                                     | 847  |
| Ferlo      | Bill No. 61 - Purchase, lease or installation of materials with the regulation and utilization of the City of Pittsburgh's Cable Communications System                                                                                                             | 167  |
| Ferlo      | Bill No. 278 - Conditional Use application to Mercy Hospital for a nine-story parking garage extension of 259 parking stalls                                                                                                                                       | 438  |
| Ferlo      | Bill No. 276 - Purchase of fuel for city owned vehicles                                                                                                                                                                                                            | 440  |
| Ferlo      | Bill No. 453 - Establishing the Hunger Trust Fund of the City of Pittsburgh<br>(SPONSORED BY MR. FERLO)                                                                                                                                                            | 912  |
| Ferlo      | Bill No. 454 - Amending the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh<br>(SPONSORED BY MR. FERLO)                                                     | 913  |
| Ferlo      | Bill No. 457 - Amending the Pittsburgh Code, Title Seven - Business Licensing, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.05 Licensed Fees, by changing the fee charged for video card game machines<br>(SPONSORED BY MR. FERLO) | 926  |

# MOTIONS

## RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                   | PAGE |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 977 - Amending the Pittsburgh Code, Title 8<br>- Fire Prevention, Article 29, Hazardous Materials<br>and Chemicals, Chapter 803, Amendments Section<br>F-2901.2 of the Boca National Fire Prevention<br>Code by adding Item (1) including the NFPA 704<br>Indentification of Fire Hazards Materials,<br>1985 Edition<br>(SPONSORED BY MR. FERLO) | 1061 |
| Ferlo   | Bill No. 1069 - Agreement for Pittsburgh Community<br>Services, Inc. for the operation and implementation<br>of a "Citywide Food Distribution and Services<br>Program"                                                                                                                                                                                    | 1134 |
| Ferlo   | Bill No. 1144 - Application for financial assistance<br>with Pennsylvania, Department of Community Affairs<br>for improvement associated with the Stadium Renewal<br>Project in the amount of (\$2,500,000.00)                                                                                                                                            | 1218 |
| Ferlo   | Bill No. 1141 - Vacating Scott Place, Fort Duquesne<br>Blvd. and Penn Avenue, 2nd Ward                                                                                                                                                                                                                                                                    | 1260 |
| Ferlo   | Bill No. 1337 - Lease with the Three Rivers Rowing<br>Association, Herr's Island Disposition Parcel D-2 on<br>Washington's Landing to be used as a Rowing Center                                                                                                                                                                                          | 1353 |
| Ferlo   | Bill No. 1338 - (Cooperation) agreement with the URA<br>to accept the conveyance of Herr's Island<br>Disposition Parcel D-2 on Washington's Landing<br>for the City to lease to Three Rivers Rowing<br>Association, to be used as a Rowing Center for<br>an intial term of 30 years at an annual rental<br>of One (\$1.00) dollar                         | 1353 |
| Ferlo   | Bill No. 1331 - (Cooperation) Housing Authority for<br>the administration and implementation of the<br>"Rehabilitation and Modernization of Housing for<br>Low and Moderate Income Persons" Program                                                                                                                                                       | 1374 |

## MOTIONS

### RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 1337 - Lease with Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center; and<br>Bill No. 1338 - (Cooperation) URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) dollar | 1376 |
| Ferlo   | Bill No. 457 - An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.05 - Licensed Fees, by changing the fee charged for video card game machines<br>(SPONSORED BY MR. FERLO)                                                                                                                                                                             | 1480 |
| Lyons   | Bill No. 684 - URA to act as agent in matters of property relocation of rights-of-way in connection with the reconstruction of Grant Street, Liberty Avenue                                                                                                                                                                                                                                                                                                  | 811  |
| Lyons   | Bill No. 994 - Agreement with Community Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods                                                                                                                                                                                                                                                                                    | 1059 |
| Lyons   | Bill No. 947 - Transferring 200,000.00 from Code Account 53-1, Debt Service Stadium Authority to Pittsburgh JTPA-1 Trust Fund, Federal Funds<br>(SPONSORED BY MR. LYONS)                                                                                                                                                                                                                                                                                     | 971  |
| Lyons   | Bill No. 948 - Agreement with the Pittsburgh Public Schools and/or other entities to provide JTPA eligible youths with employment opportunities and training<br>(SPONSORED BY MR. LYONS)                                                                                                                                                                                                                                                                     | 971  |
| Lyons   | Bill No. 948 - Agreement with Pittsburgh Public Schools and/or other entities to provide JTPA eligible youths with employment opportunities and training<br>(SPONSORED BY MR. LYONS)                                                                                                                                                                                                                                                                         | 1078 |

**MOTIONS**

**RECOMMIT**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                         | <b>PAGE</b> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Lyons          | Bill No. 947 - Transferring \$200,000.00 from Code Account 53-1, Debt Service Stadium Authority to Pittsburgh JTPA-1 Trust Fund, Federal Funds (SPONSORED BY MR. LYONS)                                                                                | 1078        |
| Lyons          | Bill No. 1069 - Agreement with Pittsburgh Community Services, Inc. for the operation and implementation of a "Citywide Food Distribution and Services Program"                                                                                         | 1085        |
| Lyons          | Bill No. 1144 - Application for financial assistance with Pennsylvania, Department of Community Affairs for improvement associated with the Stadium Renewal Project in the amount of (\$2,500,000.00)                                                  | 1218        |
| Lyons          | Bill No. 1145 - Agreement with the North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side                                                                      | 1220        |
| Lyons          | Bill No. 1185 - Implementation of a Residential Permit Parking Program in portions of the Squirrel Hill-CMU Community                                                                                                                                  | 1220        |
| Lyons          | Amending Resolution No. 269/87                                                                                                                                                                                                                         | 1220        |
| Lyons          | Bill No. 850 - An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by changing "R4" to "C3" Tripoli Street, Middle Street, North Avenue, and the boundary line located west of East Street, 23rd Ward                                       | 1266        |
| Lyons          | (SPONSORED BY MR. WOODS)                                                                                                                                                                                                                               | 1266        |
| Lyons          | Bill No. 850 - Amending the Pittsburgh Code, Title Nine - Zoning, by changing "R4" to "C3", Tripoli Street, Middle Street, North Avenue, and the boundary line located west of East Street, 23rd Ward                                                  | 1302        |
| Lyons          | (SPONSORED BY MR. WOODS)                                                                                                                                                                                                                               | 1302        |
| Lyons          | Bill No. 1352 - Contract for Disposition of Land by and between URA and Gildas A. Kaib, Jr. for the sale of Block 4-C, Lot 94, and Block 4-G, Lots 249, 254, and 256 located on Vinecliff Street, 18th Ward for \$2,500.00 - Neighborhood Housing Fund | 1465        |

## MOTIONS

### RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Lyons   | Bill No. 1349 - Acquiring publicly owned property, Vinecliff Street, 18th Ward, Neighborhood Housing Fund                                                                                                                                                                                                                                              | 1465 |
| Lyons   | Bill No. 1712 - Disposition of Land by and between URA and Forbes Trail Company and/or Moose Medical Associates for the sale of Block 23L, Lot 101 for \$67,000.00, 22nd Ward                                                                                                                                                                          | 1699 |
| Madoff  | Bill No. 338 - Agreement with Patrick Media Group, Inc. for the payment of costs sustained upon the removal and installation of its billboard on property owned by POA Company, 20th Ward; and, also<br>Bill No. 339 -Purchase from POA Company, of their property along Banksville Road, 20th Ward for \$4,500.00, payable from Code Account EC 87-52 | 486  |
| Madoff  | Comments - Bill No. 340 - Agreement with Consultant/s for Landscape Architectural Design in connection with the rehabilitation of various playgrounds                                                                                                                                                                                                  | 519  |
| Madoff  | Bill No 586 - Nominating the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code by excusing Building 2,3,4 and 5 Repealing Resolution No. 185/88 (SPONSORED BY MR. FERLO)                                                                                               | 748  |
| Madoff  | Bill No. 671 - Contract for the Rankin Avenue Pedestrian Bridge Demolition                                                                                                                                                                                                                                                                             | 815  |
| Madoff  | Bill No. 791 - Contract for Roof rehabilitation and Masonry painting of No. 5 Police/No. 8 Fire Station<br>Amending Resolution No. 557/87                                                                                                                                                                                                              | 845  |
| Madoff  | Bill No. 904 - Authorizing the City to incur a Lease Rental Debt in the amount of \$7,900,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amount                                                                                                                       | 946  |
| Pollock | Bill No. 73 - Warrant to Humphrey, Herbert, and Alber in the amount of 11,842.16                                                                                                                                                                                                                                                                       | 213  |

## MOTIONS

### RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                        | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Bill No. 413 - Nomination of South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                                                                                                                   | 516  |
| Pollock | Bill No. 1490 - Contract for Work Station, etc. installation for the Department of General Services                                                                                                                                                                                                                                                                                                                            | 1547 |
| Pollock | Discussion - Bill No. 1658 - An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles and; also Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification | 1765 |
| Wagner  | Bill No. 11 - Motorized Fire Equipment for the Department of General Services<br>Amending Resolution No. 281/87                                                                                                                                                                                                                                                                                                                | 137  |
| Wagner  | Bill No. 464 - Agreement with Laboratories for services in connection with the administration and evaluation of testing for City of Pittsburgh employees and candidates                                                                                                                                                                                                                                                        | 608  |
| Wagner  | Bill No. 530 - Amending and supplementing Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight Fire Prevention, 1987 Edition and a new Title Ten, Building, 1987 Edition                                                                                                                                                                                                      | 813  |
| Wagner  | Bill No. 734 - Granting unto Carnegie Mellon University the right to construct and maintain a building in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                                                                                                                                                                                                                                                    | 871  |
| Wagner  | Bill No. 1117 - Agreement with Consultant/s for services in connection with the validation study of psychological background testing and the administration preparation, evaluation and research for Civil Service entrance and promotional examination                                                                                                                                                                        | 1206 |



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## MOTIONS

### RECOMMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                   | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Wagner  | Bill No. 1214 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for vacancy in the Office of the Mayor<br>(SPONSORED BY MR. WAGNER)        | 1215 |
| Wagner  | Bill No. 1213 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of the City Council<br>(SPONSORED BY MR. WAGNER) | 1215 |
| Wagner  | Bill No. 1213 - Directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of the City Council<br>(SPONSORED BY MR. WAGNER) | 1255 |
| Wagner  | Bill No. 1627 - Petition for the sale of certain property in accordance with Act No. 171 of 1984                                                                                                                                                                          | 1626 |
| Wagner  | Bill No. 1454 - Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"<br>(SPONSORED BY MR. FERLO)    | 1702 |
| Woods   | Bill No. 100 - Parking Authority, Stadium Authority and URA to purchase bituminous materials, to include other municipalities and governmental agencies outside the City<br>Amending Resolution No. 1215/82<br>(SPONSORED BY MR. FERLO)                                   | 246  |
| Woods   | Discussion - Bill No. 250 - Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                                                                                                     | 409  |

## **MOTIONS**

### **RECOMMIT AND TABLE IN COMMITTEE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                         | <b>PAGE</b> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Bill No. 1599 - Amending Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (b) Regular and Special Meetings by changing the day of the Standing Committee Meeting of Council, from Wednesday at 10:00 P.M. to Thursday at 10:00 A.M.<br>(SPONSORED BY MR. FERLO) | 1624        |

### **RECOMMIT AND REFER TO BOARD OF CODE REVIEW**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                 | <b>PAGE</b> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Pollock        | Bill No. 565 - An Ordinance amending the Pittsburgh Code, Title Ten - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process<br>(SPONSORED BY MR. POLLOCK) | 1271        |

### **RECONSIDER**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                               | <b>PAGE</b> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Coyne          | Bill No. 795 - Agreement for the design and construction of the Main Salt Storage Dome and Satellite Domes<br>Amending Resolution No. 390/85 | 904         |
| Woods          | Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review;<br>Term to expire April, 1991                                   | 650         |
| Woods          | Bill No. 503 - Appointment of Anna Marie Guzman to the Board of Code Review<br>Term to expire April, 1991                                    | 663         |

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**MOTIONS**

**REFERRED TO THE BOARD OF CODE REVIEW**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                    | <b>PAGE</b> |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Pollock        | Bill No. 565 - Amending the Pittsburgh Code, Title Ten - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process<br>(SPONSORED BY MR. POLLOCK) | 605         |

**REPORT FROM THE MAYOR WITHIN 30 DAYS**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                            | <b>PAGE</b> |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Pollock        | Bill No. 1645 - Amending the Pittsburgh Code, Title One - Administration, Article IX-Boards, Commissions and Authorities, by adding Chapter 173, Private Sectors Commission on Cost Control<br>(SPONSORED BY MR. POLLOCK) | 1602        |

**REPORT RECEIVED**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                                                                                                      | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Letter from Robert Lurcott, July 28, 1988 in reference to Bill No. 994 - Agreement with Community Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods | 1159        |

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### MOTIONS

#### RESUBMIT

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                       | PAGE |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 21 - Accounting Firm to provide auditing services as required for PA Department of Labor and Industry                                                                                                                                                | 130  |
| Madoff  | Bill No. 643 - An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands<br>(SPONSORED BY MR. WAGNER) | 761  |

#### RULES OF COUNCIL

| SPEAKER | SUBJECT                                      | PAGE |
|---------|----------------------------------------------|------|
| Pollock | Adopting the rules of the proceeding Council | 22   |

#### RULING

| SPEAKER | SUBJECT                                                                                        | PAGE |
|---------|------------------------------------------------------------------------------------------------|------|
| Madoff  | Requesting that the ruling for Duquesne Light Company rate increase be made here in Pittsburgh | 448  |

#### SUSPEND RULE 8

| SPEAKER | SUBJECT                                                                                                                                                                                          | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Bill No. 29 - Adding the following sections to the other authorization language to allow 4 percent wage increase for non-union employees and elected officers<br>Amending Resolution No. 1093/87 | 36   |

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## MOTIONS

### SUSPENSION

| SPEAKER | SUBJECT                                                                                                                                      | PAGE |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Rules of Council to reconsider Bill No. 503<br>- Appointment of Anna Marie Guzman to the<br>Board of Code Review; term to expire April, 1991 | 650  |

### SUSTAIN VETO

| SPEAKER | SUBJECT                                                                                                                                                                             | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Lyons   | Bill No. 171 - Veto -Bill Nos. 75 and 76 -<br>"Amending the budget by adding as an employee<br>a legal advisor and appropriating additional<br>funds from the Social Security fund" | 208  |

### TELEWISE

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                              | PAGE |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Post Agenda - Concerns on about the conditions<br>of Aliquippa Terrace Post Agenda - Expiration<br>of refuse collection and landfill                                                                                                                                                                                                                                 | 93   |
| Wagner  | Public Hearing dealing with the paramedic issue,<br>Monday, March 14                                                                                                                                                                                                                                                                                                 | 427  |
| Wagner  | Public Hearing on Bill No. 1302 - Amending the<br>Pittsburgh Code - Title Six - Conduct, Article V,<br>Discrimination, Chapter 651 - Findings and Policy,<br>Chapter 653 - Human Relations Commission, Chapter<br>659 - Unlawful Practices, by including in the<br>protected class the nature of the sexual<br>orientation of a person<br>(SPONSORED BY MR. POLLOCK) | 1282 |
| Ferlo   | Public Hearing on Bill No. 168 - Petition from the<br>Pittsburgh Residents on the discussion of the<br>increase of non-union contractors working on<br>publicly funded and supported construction<br>projects                                                                                                                                                        | 202  |
| Wagner  | Public Hearing on Strategy 21 Funding                                                                                                                                                                                                                                                                                                                                | 995  |

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**MOTIONS**

**TELEWISE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                                                                            | <b>PAGE</b> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Ferlo          | Public Hearing on property tax assessment                                                                                                                 | 326         |
| Ferlo          | Public Hearing on the trade union organizations,<br>Tuesday, March 29                                                                                     | 529         |
| Pollock        | Public Hearing on the current status of Washington's<br>Landing                                                                                           | 425         |
| Wagner         | Public Hearing on Bill No. 63 - Lawrenceville Residents<br>Proposal of West Penn Hospital to install a 772 car<br>parking lot in Lawrenceville            | 80          |
| Coyne          | Public Hearing, Tuesday, April 12th                                                                                                                       | 620         |
| Ferlo          | Public Hearing, Tuesday, June 7th in relation to<br>the Hunger issue                                                                                      | 852         |
| Ferlo          | Public Hearings, Tuesday, November 1, 1988;<br>Pre-Bid Specification Ordinance and the issue<br>concerning refuse collection in the City of<br>Pittsburgh | 1484        |
| Wagner         | Tax reform briefing, that Council will receive<br>Tuesday, December 6, 1988 at 4:00 P.M.                                                                  | 1681        |

**UNANIMOUS VOTE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                          | <b>PAGE</b> |
|----------------|---------------------------------------------------------|-------------|
| Woods          | Election of Sophie Masloff as President of City Council | 9           |

**UNTABLE**

| <b>SPEAKER</b> | <b>SUBJECT</b>                                                                                        | <b>PAGE</b> |
|----------------|-------------------------------------------------------------------------------------------------------|-------------|
| Lyons          | Bill No. 495 - Appointment of John Noonan, to the<br>Board of Adjustments; Term to expire April, 1991 | 677         |
| Woods          | Bill No. 1092 - Contract for Public Safety Facilities<br>(various) renovations                        | 1200        |

## MOTIONS

### WITHDRAW AMENDMENT

| SPEAKER | SUBJECT                                                                                                            | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------|------|
| Ferlo   | Bill No. 11 - Motorized Fire Equipment for the<br>Department of General Services<br>Amending Resolution No. 281/87 | 183  |
| Ferlo   | Bill No. 1141 - Vacating Scott Place, Fort<br>Duquesne Blvd. and Penn Avenue, 2nd Ward                             | 1260 |

### WITHDRAW REQUEST TO APPEAR BEFORE COUNCIL

| SPEAKER | SUBJECT                                                                                                                  | PAGE |
|---------|--------------------------------------------------------------------------------------------------------------------------|------|
| Lyons   | Bill No. 1328 - Appointment of James F. Lally,<br>to the Board of Code Review for a term to<br>expire September 30, 1991 | 1288 |

### WITHDRAW MOTIONS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                 | PAGE |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Coyne   | Bill No. 1106 - Agreement with the Port Authority of<br>Allegheny County for a continuation of the Hill<br>District and Oakland Loop Bus                                                                                                                                                | 1175 |
| Ferlo   | Bill No. 96 - Requesting a written report from the<br>Housing Authority concerning the Allequippa<br>Terrace dispute                                                                                                                                                                    | 108  |
| Lyons   | Bill No. 1130 - Appointment of Rabbi Richard M. Marcovitz<br>to the Commission on Human Relations, term to expire<br>July, 1992 and; also, Bill No. 1131 - Appointment of<br>Floyd Titus to the Commission on Human Relations,<br>term to expire July, 1992                             | 1087 |
| Madoff  | Bill No. 1011 - Recommending Council hire William<br>F. Foley, an independent, professional consultant<br>with experience in fire apparatus, to evaluate the<br>new firetrucks and present Council with recommendations<br>and solutions for training or modifications to the<br>trucks | 989  |
| Pollock | Nominaiton as President Pro-Tem of City Council                                                                                                                                                                                                                                         | 123  |

## MOTIONS

### WITHDRAW MOTIONS

| SPEAKER | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                           | PAGE |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Pollock | Bill No. 1658 - An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles and; also Bill No. 1659 - An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification | 1766 |
| Wagner  | Motion to televise the Tax reform briefing, that Council will receive Tuesday, December 6, 1988 at 4:00 P.M.                                                                                                                                                                                                                                                                                                      | 1681 |

### WITHDRAW RESOLUTION

| SPEAKER | SUBJECT                                                                                                                    | PAGE |
|---------|----------------------------------------------------------------------------------------------------------------------------|------|
| Madoff  | Bill No. 220 - Members of Pittsburgh City Council authorize the hiring of a consultant to serve as Council's Legal Advisor | 265  |

## ORDINANCES

### AMENDING ORDINANCES

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                      | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1804     | Amending Section 1 of Ordinance No. 40, approved February 15, 1955, entitled, "An Ordinance signifying the desire of the City of Pittsburgh to become a member of the Allegheny County Sanitary Authority;" by providing that three members be appointed by the City, three members appointed by the County, and one member appointed jointly by the City and County of the Board of such authority (SPONSORED BY MR. WOODS) | 1727, 1774 |



## ORDINANCES

### AMENDING ORDINANCES

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                         | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1308     | Amending Ordinance No. 24, approved December 27, 1987,<br>Section 1, 180.01, Definitions, Subsection A-4, by<br>including Operations Coordinator, Chief Inspector,<br>Audit Manager, Chief Auditor, Coontracts, Supervisor,<br>and Bookkeeping Supervisor, in the "Noncareer Service"<br>positions of the City Controller's Office 1283, 1301<br>(SPONSORED BY MR. WAGNER) 1628 |      |
| 193      | Amending Ordinance 31 of 1978, Declaring the need<br>for a Vacant Property Review Committee in the<br>City of Pittsburgh, by changing the composition<br>of the membership 238, 358                                                                                                                                                                                             |      |
| 674      | Authorizing the Mayor to issue and the City Controller<br>to countersign warrants for the purpose of<br>establishing an Imprest Fund for investigation<br>expenses for the Bureau of Police, Department of<br>Public Safety<br>Amending Ordinance No. 318/68 and Resolution No. 300/84<br>(SPONSORED BY MR. FERLO) 703                                                          |      |
| 32       | Providing for charges by EMS for ambulance service<br>to non-residents, by setting a termination procedure<br>and date for Trust Fund transactions<br>Amending Ordinance No. 9/79 46                                                                                                                                                                                            |      |

### HOME RULE CHARTER

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                               | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1213     | Directing the Allegheny County Board of Elections<br>to place before the qualified voters a referendum<br>question which would amend Section 309 of the Home<br>Rule Charter to provide for vacancy in the Office<br>of the City Council 1144, 1215<br>(SPONSORED BY MR. WAGNER) 1255 |      |
| 1214     | Directing the Allegheny County Board of Elections to<br>place before the qualified voters a referendum<br>question which would amend Section 206 of the Home<br>Rule Charter to provide for vacancy in the Office<br>of the Mayor 1144, 1215<br>(SPONSORED BY MR. WAGNER) 1255        |      |

## ORDINANCES

### PITTSBURGH CODE TITLE ONE - ADMINISTRATIVE

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                           | PAGE               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1454     | Amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new line item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts"<br>(SPONSORED BY MR. FERLO)                                                                                            | 1413, 1700         |
| 1308     | Amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01, Definitions, Subsection A-4, by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Cocontracts, Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of the City Controller's Office<br>(SPONSORED BY MR. WAGNER) | 1283, 1301<br>1628 |
| 1482     | Amending Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 P.M. to Tuesday at 10:00 A.M.<br>(SPONSORED BY MR. LYONS)                                                                            | 1453, 1531         |
| 1599     | Amending Title One, Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (b) Regular and Special Meetings by changing the day of the Standing Committee Meeting of Council, from Wednesday at 10:00 P.M. to Thursday at 10:00 A.M.<br>(SPONSORED BY MR. FERLO)                                                            | 1571, 1623         |
| 1645     | Amending the Pittsburgh Code, Title One - Administration, Article IX-Boards, Commissions and Authorities, by adding Chapter 173, Private Sectors Commission on Cost Control<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                         | 1602               |
| 1788     | Amending the Pittsburgh Code, Title One - Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.07, Advance of Bills for travel expenses, by changing "Approval of Bills for Travel Expenses" to "Department of Head's Approval for Travel"<br>(SPONSORED BY MR. WAGNER)                                   | 1691, 1748         |

**ORDINANCES**  
**PITTSBURGH CODE**  
**TITLE ONE - ADMINISTRATIVE**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                         | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1787     | Amending the Pittsburgh Code, Title One -<br>Administrative, Article I - General Provisions,<br>Chapter 181, General Provisions, Section 181.09,<br>Advance of Expenses<br>(SPONSORED BY MR. WAGNER)                                                                                                            | 1691, 1748 |
| 1713     | Amending the Pittsburgh Code, Title One -<br>Administrative, Article IX - Boards, Commissions<br>and Authorities, Chapter 175, "Art Commission",<br>Section 175.02, Works of Art Defined, by adding<br>"Special Category Signage"<br>(SPONSORED BY MICHELLE MADOFF)                                             | 1644       |
| 1104     | Pittsburgh Code, Title 1 - Administrative, Article I,<br>General Provisions, Chapter 107.01, Issuance<br>Procedures, by adding subsection (4) Service Fee<br>(SPONSORED BY MR. LYONS)                                                                                                                           | 1074       |
| 870      | Pittsburgh Code, Title I - Administrative, Article<br>VII, Procedures, Chapter 161, Contracts, by adding<br>a new Section 161.20, entitled "Estimated Costs" to<br>provide procedures for the confidentiality of that<br>amount and Section 161.21 entitled, "Capital Budget"<br>(SPONSORED BY MICHELLE MADOFF) | 860        |
| 359      | Pittsburgh Code, Title One - Administrative,<br>Chapter 191, Retirement and Severance Pay,<br>Section 191.04 by changing "ineligible" to<br>"eligible" for severance pay for accumulated<br>sick leave days<br>(SPONSORED BY MR. WOODS)                                                                         | 436, 509   |
| 86       | Pittsburgh Code, Title One - Administrative,<br>Deleting the position of one Administrative Aides<br>to the City Clerk, and adding two Legislative<br>Assistants (reflects a budget change in<br>City Clerk's Office)<br>(SPONSORED BY MRS. MASLOFF)                                                            | 112, 180   |

## ORDINANCES

### PITTSBURGH CODE TITLE TWO - FISCAL

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                 | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1619     | Amending and supplementing the Pittsburgh Code,<br>Title Two, Fiscal, Article VII, Business-Related Taxes,<br>Chapter 255, Realty Transfer Tax, Sections 255.02(a),<br>Levy and Rate, and 255.03, Exceptions, by changing<br>the rate of tax and by conforming the Exceptions to<br>amendments of the Enabling Act. (Present Rate 1%)                                   | 1573       |
| 1611     | Amending and supplementing the Pittsburgh Code,<br>Title Two, Fiscal, Article VII, Business-Related<br>Taxes, Chapter 256, Home Rule Realty Transfer Tax,<br>Sections 256.02 (a), Levy and Rate, and 256.03,<br>Exceptions, by changing the rate of tax and by<br>conforming the Exceptions to amendments of the<br>Enabling Act. (Present Rate 1/2%)                   | 1573       |
| 1768     | Amending the Pittsburgh Code, Title Two - Fiscal,<br>Article III, Depositories, Chapter 221, Depositories,<br>Chapter 221, Contracts, Section 7, Lock Box System,<br>by adding deposits of payments for but not limited<br>to Amusement Tax, Parking Tax, Personal Property<br>Tax, an any other taxes, licenses or fees and<br>excluding the words active and inactive | 1667, 1746 |
| 1755     | Amending the Pittsburgh Code, Title Two - Fiscal,<br>by changing the rate of interest on certain<br>Delinquent Earned Income and Home Rule Taxes                                                                                                                                                                                                                        | 1665, 1697 |
| 1621     | Amending the Pittsburgh Code, Title Two, "Fiscal",<br>Article IX, "Property Taxes", Chapter 263, "Real<br>Property Tax", Section 263.01, "Levy and Rate on<br>Lands and Buildings", by levying the real property<br>tax for 1989. (Present Rate 151.5 mills on Land,<br>27 mills on Buildings)                                                                          | 1574, 1739 |
| 1620     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article IX, Chapter 261, Personal Property Tax,<br>Section 261.02, Levy and Rate, by changing the rate<br>of tax. (Present Rate 4 mills)                                                                                                                                                                            | 1573       |
| 1612     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business Related Taxes, Chapter 243,<br>Business Privilege Tax, Section 243.02, Tax Levy<br>and Rate, by changing the rate of tax.<br>(Present Rate 6 mills)                                                                                                                                           | 1573       |

## ORDINANCES

### PITTSBURGH CODE TITLE TWO - FISCAL

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                             | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1614     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business Related Taxes, Chapter 253,<br>Parking Tax, Section 253.02, Tax Levy and Rate,<br>by changing the rate of tax. (Present Rate 25%)                                                                                                                         | 1573       |
| 1615     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 241,<br>Amusement Tax, Section 241.04, Amusement Tax<br>Computation, by changing the general rate found<br>in Subsection (a). (Present Rate 10%)                                                                                   | 1573       |
| 1616     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 245,<br>Earned Income Tax, Section 245.02, Levy and Rate,<br>by changing the rate of the tax. (Present Rate 1%)                                                                                                                    | 1573       |
| 1610     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 246,<br>Home Rule Earned Income Tax, Section 246.02,<br>Imposition of Tax, by changing the rate of tax<br>and by clarifying administrative procedure.<br>(Present Rate 1.125%)                                                     | 1572, 1727 |
| 1613     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 247,<br>Institution and Service Privilege Tax, Section<br>247.02, Tax Levy and Rate by changing the rate<br>of tax. (Present Rate 6 mills)                                                                                         | 1573       |
| 1617     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 249,<br>Mercantile License Fees and Tax, Section 249.04,<br>Tax Rate, by changing the rate of tax.<br>(Present Rate - Wholesale Vendors 1 mill)<br>(Present Rate - Retail Vendors 2 mills)<br>(Present Rate - Restaurants 2 mills) | 1573       |
| 1618     | Amending the Pittsburgh Code, Title Two, Fiscal,<br>Article VII, Business-Related Taxes, Chapter 251,<br>Occupation Privilege Tax, Section 251.02, Levy and<br>Rate, by changing the rate of tax.<br>(Present Rate \$10.00)                                                                                                         | 1573       |

**ORDINANCES**

**PITTSBURGH CODE**  
**TITLE TWO - FISCAL**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                     | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1133     | Pittsburgh Code, Title 2 - Fiscal, Article I,<br>Administration, Chapter 213, Investment and<br>Disinvestment by adding Section 213.04 - Northern<br>Ireland Investments<br>(SPONSORED BY MR. COYNE)                                                                        | 1099, 1211 |
| 1134     | Pittsburgh Code, Title 2 - Fiscal, Article III,<br>Depositories, Chapter 221, Contracts, by adding<br>to the requirements for the qualifications of<br>banks and lending institutions which desire to<br>qualify as depositories of City monies<br>(SPONSORED BY MR. COYNE) | 1100, 1211 |
| 50       | Pittsburgh Code, Title Two - Fiscal, by changing<br>Pittsburgh Code, Title Two - Fiscal, by changing<br>the Rate of Interest on certain Delinquent<br>Earned Income and Home Rule Taxes                                                                                     | 76, 162    |
| 887      | Repealing Chapter 267 of the Pittsburgh Code,<br>entitled, "Exemptions for Industrial and<br>Commercial Improvements"<br>(SPONSORED BY MR. FERLO)                                                                                                                           | 898        |

**PITTSBURGH CODE**  
**TITLE FOUR - PUBLIC PLACES AND PROPERTY**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                      | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 328      | Pittsburgh Code, Title Four - Public Places and<br>Property, Article II, Communications, Chapter 427,<br>Private Communications Systems, Section 427.11,<br>by addition of subsection (c)                                                                                    | 383, 473   |
| 1095     | Pittsburgh Code, Title 4 - Public Places and Property,<br>Article I, Chapter 419, Regulated Activities, by<br>adding Section 419.10, Prohibiting Skateboards,<br>Roller Skates, Scooters and Bicycles on sidewalks<br>in business districts<br>(SPONSORED BY MR. DEPASQUALE) | 1073, 1481 |

ORDINANCES

PITTSBURGH CODE  
TITLE FIVE - TRAFFIC

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                          | PAGE               |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 643      | Pittsburgh Code Supplement, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands<br>(SPONSORED BY MR. WAGNER)                                                                                                                                       | 675, 761           |
| 807      | Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 521, Scofflaws, Article VII, Parking, Chapter 541 - General Parking Regulations, Chapter 543 - Parking Meters, and Chapter 545 - Off-Street Parking by removing the penalty of jail sentence and imposing on the registered owner of a vehicle the responsibility for any parking violations | 791, 925           |
| 1657     | Pittsburgh Code, Title Five - Traffic, Article VII, Parking, Chapter 541, General Parking Regulations, Chapter 543, Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods                                                                                                                             | 1617, 1760<br>1775 |
| 1658     | Pittsburgh Code, Title Five - Traffic, Chapters 523 and 525, by setting fees for release of immobilized vehicles                                                                                                                                                                                                                                                 | 1617, 1765         |
| 1659     | Pittsburgh Code, Title Five - Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification                                                                                                                                                              | 1617, 1765         |

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**ORDINANCES**

**PITTSBURGH CODE**  
**TITLE SIX - CONDUCT**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                             | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1302     | Pittsburgh Code - Title Six - Conduct, Article V, Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person<br>(SPONSORED BY MR. POLLOCK) | 1282, 1416 |
| 1656     | Amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarms, Section 611.06 (a) Permits, by changing the alarm system permit fee and Section 611.07 (a), False Alarm Penalty, by changing the false alarm penalty fee                            | 1617, 1760 |

**PITTSBURGH CODE**  
**TITLE SEVEN - BUSINESS LICENSING**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                  | PAGE                   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 457      | Pittsburgh Code, Title Seven - Business Licensing, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.05 - Licensed Fees, by changing the fee charged for video card game machines<br>(SPONSORED BY MR. FERLO) | 504, 925<br>1480, 1500 |
| 1655     | Supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713, 715, 717, 719, 721, 723, 763, 765, 771, 773, 775, 777, and 779, by raising certain fees                                         | 1617, 1758             |



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ORDINANCES

PITTSBURGH CODE  
TITLE EIGHT - FIRE PREVENTION

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                    | PAGE              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 530      | Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight Fire Prevention, 1987 Edition and a new Title Ten - Building, 1987 Edition                                                                                                                           | 547, 813<br>878   |
| 977      | Pittsburgh Code, Title 8 - Fire Prevention, Article 29, Hazardous Materials and Chemicals, Chapter 803, Amendments Section F-2901.2 of the Boca National Fire Prevention Code by adding Item (1) including the NFPA 704 Identification of Fire Hazards Materials, 1985 Edition<br>(SPONSORED BY MR. FERLO) | 964, 1061<br>1313 |

PITTSBURGH CODE  
TITLE NINE - ZONING

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                 | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 118      | Pittsburgh Code, Title Nine - Zoning, Chapter 989, by adding Section 989.11, Parking in Driveways<br>(SPONSORED BY MR. WOODS)                                                                                                                                                                                                           | 161        |
| 1103     | Pittsburgh Code, Title 9 - Zoning, Article IV, "Planned Development Districts", Section 973.03, "District Classifications" and Section 973.09, "Special Provision" by revising the development regulations for the "SP-1" Pittsburgh Technology Center located along Second Avenue site of the former Jones and Laughlin Hot Strip Mill | 1074, 1266 |

**ORDINANCES**

**PITTSBURGH CODE**  
**TITLE NINE - ZONING**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1673     | Amending the Pittsburgh Code, Title Nine - Zoning, Chapter 911 "Fee Schedule", Section 911.01 "Fees Established" by increasing the following fees:<br>a.) For a Conditional Use or Planned Unit Development Application, from \$80.00 to \$150.00.<br>b.) For a Modified Conditional Use or Planned Unit Development Application, from \$40.00 to \$75.00.<br>c.) For a Board of Adjustment Appeal, from \$30.00 to \$40.00. d.) For a Temporary or Permanent Certificate of Occupancy when phased with a Building Permit, from \$6.00 to \$15.00; or when not phased with a Building Permit from \$10.00 to \$20.00.<br>e.) For A Zone Change Petition, from \$100.00 to \$150.00. f.) For Preparation and Introduction of a zoning related Ordinance, from \$30.00 to \$50.00.<br>g.) For Recertification of a Group Living Facility, from \$25.00 to \$40.00. These increases are directly related to the amount of staff time involved in processing the applications, and the escalated cost of advertising for hearings and public meetings | 1619 |

**PITTSBURGH CODE**  
**TITLE TEN - BUILDING**

| BILL NO. | SUBJECT                                                                                                                                                                                                               | PAGE              |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 530      | Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight Fire Prevention, 1987 Edition and a new Title Ten Building, 1987 Edition                                        | 547, 813<br>878   |
| 565      | Pittsburgh Code, Title Ten - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process<br>(SPONSORED BY MR. POLLOCK) | 605, 1271<br>1377 |
| 708      | Pittsburgh Code, Title Ten - Building, Chapter 1013 to allow public input into Building Variance Process<br>(SPONSORED BY MR. FERLO)                                                                                  | 734, 1064         |

**ORDINANCES**  
**PITTSBURGH CODE**  
**TITLE TEN - BUILDING**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                | PAGE      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 709      | Pittsburgh Code, Title Ten - Building, Section 1002.01<br>(b) (4) to allow for unior representation on the<br>Board of Code Review<br>(SPONSORED BY MR. FERLO)                                                                                                                                         | 734, 1064 |
| 744      | Pittsburgh Code, Title Ten - Building, by prohibiting<br>the use of plastic pipe in duct work, pipe shafts<br>and electrical work<br>(SPONSORED BY MR. WOODS)                                                                                                                                          | 740       |
| 849      | Pittsburgh Code, Title Ten - Building, Article III<br>Local Regulations, by adding a new subsection to<br>the 1987 BOCA Code which prohibits the use of<br>plastic pipe for waste, vent, drain and water<br>supply in all buildings except one and two family<br>dwellings<br>(SPONSORED BY MR. WOODS) | 824, 1064 |

**ZONING CHANGES**

| BILL NO. | ZONING CHANGE                              | LOCATION                                                                                                                                      | PAGE       |
|----------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1602     | "C3" to "R5"                               | Center Avenue and S. Aiken<br>Street, 7th Ward                                                                                                | 1571, 1754 |
| 636      | "R2" to "RP"                               | Madonna Street, Frankstown<br>Avenue, Bricelyn Street and<br>Eymard Street, 13th Ward                                                         | 674, 1015  |
| 1540     | "R2-T", "M3", and "C3"<br>to "S" and "M1"  | California Avenue, Marshall<br>Avenue and Marvista<br>Street, 21st Ward                                                                       | 1494, 1753 |
| 15       | "R4 and "M3" to "S"<br>and "R2-T" and "M1" | California Avenue, Marvista<br>Street, Uniondale Cemetery<br>and Brighton Road,<br>21st and 25th Wards                                        | 34, 410    |
| 850      | "R4" to "C3"                               | Tripoli Street, Middle Street<br>North Avenue, and the<br>boundary line located west<br>of East Street, 23rd Ward<br>(SPONSORED BY MR. WOODS) | 825, 1266  |

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### ORDINANCES

#### ZONING CHANGES

| BILL NO. | ZONING CHANGE                                           | LOCATION                                                                                                 | PAGE       |
|----------|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------|
| 1541     | "R4" to "R2"                                            | Kentucky Avenue, Howe Street,<br>South Negley Avenue, Maryland<br>Avenue and College Street,<br>7th Ward | 1495, 1753 |
| 239      | "R4", "C3", "M1"<br>and "M3" to "S",<br>"R2-T" and "C3" | North Canal Street, Cedar<br>Avenue, North Avenue and<br>Vinal Street, 23rd Ward                         | 285, 923   |

### RESOLUTIONS

#### ADVERTISING FOR CONTRACTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                             | PAGE     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 273      | Advertisement for contract/s for miscellaneous services<br>in and for any or all departments in the calendar year<br>1989, with the right to terminate December 31, 1989,<br>in the event funds are not appropriated for<br>continuation            | 342, 440 |
| 274      | Advertisement for contracts for materials, general<br>services and equipment for any or all departments<br>in the calendar year 1989, with the right to terminate<br>December 31, 1989, in the event funds are not<br>appropriated for continuation | 342, 476 |

### AGREEMENTS

#### COOPERATION

| BILL NO. | SUBJECT                                                                                                                             | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1409     | Allegheny County for the County's share of the<br>rehabilitation of the City-County Building Roof<br>Amending Resolution No. 592/85 | 1391, 1483 |
| 582      | Allegheny County for building modification<br>Amending Resolution No. 540/85                                                        | 632, 691   |

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**AGREEMENTS**

**COOPERATION**

| BILL NO. | SUBJECT                                                                                                                                                                                 | PAGE               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1091     | Carnegie Library (THE CARNEGIE) for renovations to various branches                                                                                                                     | 1072, 1180         |
| 184      | Carnegie Institute (THE CARNEGIE) for Miscellaneous Renovations                                                                                                                         | 237, 320           |
| 183      | Carnegie Library (THE CARNEGIE) for Central Branch Rehabilitation                                                                                                                       | 237, 319           |
| 182      | Carnegie Library (THE CARNEGIE) for Central Branch Renovations to the Main Reading Room                                                                                                 | 236, 319           |
| 964      | Commonwealth of Pennsylvania, Department of Transportation for the maintenance and ownership of facilities constructed as part of I-279/I-579 Expressway Amending Resolution No. 968/85 | 961, 1023          |
| 1331     | Housing Authority for the administration and implementation of the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" Program                            | 1294, 1374<br>1466 |
| 1173     | South Side Local Development Council for the implementation of the design and construction of the Birmingham Plaza at 17th and Carson Street                                            | 1138, 1273         |
| 902      | URA for 1988 Federal Street Improvements Program                                                                                                                                        | 900, 977           |
| 899      | URA for 1988 Neighborhood Housing Program                                                                                                                                               | 899, 972           |
| 900      | URA for 1988 Pittsburgh Construction Loan Fund Program                                                                                                                                  | 900, 972           |
| 898      | URA for 1988 Rental Housing Development and Improvement Program                                                                                                                         | 899, 972           |
| 903      | URA for 1988 Streetface Program                                                                                                                                                         | 900, 977           |
| 901      | URA for 1988 Vacant Housing Recovery Program                                                                                                                                            | 900, 972           |
| 1256     | URA for receiving funds from the Authority to fund Community Development Corporation                                                                                                    | 1199, 1267         |
| 891      | URA for three (300) hundred units low income housing                                                                                                                                    | 898, 971           |
| 979      | URA in connection with the implementation of a grant for Emergency Shelter Grant Program, Womanspace East, Inc. Project at 2000-2002 Fifth Avenue                                       | 964, 1016          |

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**AGREEMENTS**

**COOPERATION**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                         | PAGE                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1338     | URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) dollar | 1295, 1353<br>1375, 1480 |
| 1089     | URA to act as an agent in matters relative to the reconstruction of Grant Street/Liberty Avenue, Phase III                                                                                                                                                      |                          |
|          | Amending Resolution No. 427/88                                                                                                                                                                                                                                  | 1072, 1179               |
| 195      | URA for implementation of the Commonwealth of Pennsylvania, Department of Community Affairs Enterprise Zone, to include the Penn Gate Enterprise Zone                                                                                                           |                          |
|          | Amending Resolution No. 1048/87                                                                                                                                                                                                                                 | 238, 359                 |
| 711      | URA for the implementation of the Enterprise Zone Municipal Tax Exemption Program for the East Liberty and the North Side Enterprise Zone                                                                                                                       | 734, 811                 |
| 1539     | URA for the implementation of the Lawrenceville Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs                                                                                                                              | 1494, 1590               |
| 1538     | URA for the implementation of the North Side Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs                                                                                                                                 | 1494, 1590               |

**GRANT**

| BILL NO. | SUBJECT                                                                   | PAGE       |
|----------|---------------------------------------------------------------------------|------------|
| 1604     | URA with Better Block Development Corp. for the Neighborhood Housing Fund | 1571, 1629 |

## AGREEMENTS

### GRANT

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                          | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1298     | URA with North Side Civic Development Council, Inc. for \$10,000.00 from the Neighborhood Housing Fund for curb and sidewalk work to facilitate the residential development at the corner of Chautauqua and Holyoke Street. The developer is a Pennsylvania coporation, Thomas E. Cox, President | 1281, 1347 |

### MERCHANT

| BILL NO. | SUBJECT                                                                                                        | PAGE       |
|----------|----------------------------------------------------------------------------------------------------------------|------------|
| 1151     | Equibank (Merchant Agreement) for the implementation of a Visa/Mastercard payment program at the City Towpound | 1103, 1213 |

### REIMBURSEMENT

| BILL NO. | SUBJECT                                                                                                                                           | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1167     | Commonwealth of Pennsylvania Department of Transportation for the Grant Street Reconstruction, Phase 4, from Fourth Avenue to Fort Pitt Boulevard | 1137 |

### SUPPLEMENTAL

| BILL NO. | SUBJECT                                                                                                                                                                                    | PAGE      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 964      | Commonwealth of Pennsylvania, Department of Transportation for the maintenance and ownership of facilities constructed as part of I-279/I-579 Expressway<br>Amending Resolution No. 968/85 | 961, 1023 |

**AGREEMENTS**

**SUPPLEMENTAL**

| BILL NO. | SUBJECT                                                                                                                      | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------|------------|
| 1172     | Consultant/s for engineering services in connection with the preliminary design for the replacement of the Bloomfield Bridge |            |
|          | Amending Resolution No. 1269/78                                                                                              | 1138, 1273 |
| 1408     | Green International (G.A.J.) in connection with the design of the Swindell Bridge                                            |            |
|          | Amending Resolution No. 352/85 and 307/80                                                                                    | 1390, 1483 |

**AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                                                               | PAGE          |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 785      | 15th Ward Volunteer's for services in connection with their Football Program (SPONSORED BY MR. COVNE)                                                                 | 786, 946      |
| 1034     | 31st Ward Citizens Council for operating a food distribution voucher system                                                                                           | 1004, 1083    |
| 1415     | A.R.C. House (Alcoholic Recovery Center) for professional services in connection with repairs and renovations of their Rehabilitation Center (SPONSORED BY MR. FERLO) | 1392          |
| 640      | Accounting Firm (Independent) to preform the annual audit for the City of Pittsburgh for the period of three (3) years, years ending December 31, 1988, 1989 and 1990 | 675, 862      |
| 21       | Accounting Firm to provide auditing services as required for PA Department of Labor and Industry                                                                      | 35, 130       |
| 250      | Administration of City Worker's Compensation Program for a period beginning July 1, 1988 to June 30, 1991                                                             | 287, 408, 551 |
| 1112     | Administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991                                        |               |
|          | Amending Resolution No. 222/88                                                                                                                                        | 1076, 1108    |



# **AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                                                                                                          | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| a54      | Afro-American Heritage Parade Association, Inc.<br>for services during 1988<br>(SPONSORED BY MR. LYONS)                                                                                                          | 603, 656   |
| 1310     | Agencies for job development and employment<br>services and/or on-the-job training in connection<br>with the Neighborhood Employment Program                                                                     | 1284, 1332 |
| 1334     | Agencies for the implementation of the City of<br>Pittsburgh's JTPA Title II-A Pregnant and<br>Parenting Youth                                                                                                   | 1294, 1333 |
| 1336     | Agencies for the implementation of the City of<br>Pittsburgh's JTPA Title III, Dislocated Workers<br>Program                                                                                                     | 1295, 1374 |
| 350      | Agencies for the implementation of the City's 11-A<br>State Educational Grant Program<br>Amending Resolution No. 437/87                                                                                          | 434, 508   |
| 998      | Agency or Agencies to implement and coordinate the<br>"Pittsburgh Literacy Initiative" a pilot project<br>aimed at promoting healthy parent/child<br>relationships                                               | 966, 1060  |
| 419      | Allegheny County Center for Victims of Violent<br>Crimes for the furnishing of professional<br>services in 1988                                                                                                  | 468, 588   |
| 466      | Allegheny County Health Department for rabies<br>immunization for City of Pittsburgh employees                                                                                                                   | 505, 609   |
| 1623     | Allegheny County and Real Estate Appraiser/s<br>and/or School District of Pittsburgh for<br>consulting services in connection with the<br>city's sale or acquisition of real estate<br>and tax assesment matters | 1575, 1625 |
| 967      | Allegheny County for the City's share of<br>refurbishing of the lighting system and related<br>apparatus of the Armstrong Tunnel                                                                                 | 962, 1024  |
| 233      | Allowing substitution and deletion of work within<br>the original Councilmanic amount<br>Repealing Resolution No. 480/87<br>(SPONSORED BY MR. FERLO)                                                             | 284        |
| 225      | American Wind Symphony for 1987 services<br>Amending Resolution No. 74/87                                                                                                                                        | 283, 412   |
| 935      | Architectural Services for the Master Plan at<br>the Pittsburgh Zoo<br>Amending Resolution No. 954/87                                                                                                            | 938, 1022  |

# **AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                             | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1377     | Architectural Services on various city facilities<br>on an as-needed basis in response to the Capital<br>Budget Program             |            |
|          | Amending Resolution No. 144/87                                                                                                      | 1369, 1481 |
| 623      | Architectural services in connection with the<br>rehabilitaiton of Ream Pool                                                        | 673, 776   |
| 135      | Architectural/Engineering Services in connection<br>with the No. 5 Police and No. 8 Fire Station                                    |            |
|          | Amending Resolution No. 429/85                                                                                                      | 197, 317   |
| 307      | Architectural/Engineering in connection with<br>the design and rehabilitation of Burgwin Pool                                       |            |
|          | Amending Resolution No. 922/80 and 881/81                                                                                           | 379, 483   |
| 1571     | Arlington Civic Council for services to the South<br>Side Sooners Football Program<br>(SPONSORED BY MR. FERLO)                      | 1522       |
| 380      | Arsenal Board of Trade for the furnishing of<br>professional services in 1988                                                       | 462, 580   |
| 1028     | Art Museum for technical assistance                                                                                                 | 1003, 1083 |
| 404      | Auditing Services in connection with the<br>Community Development Block Grant Program -<br>Third Party Contracts                    | 466, 570   |
| 147      | Automating the Maintenance Management System<br>in the Department of Parks and Recreation                                           | 199, 294   |
| 991      | Beechview Manor and the URA for site work at<br>Beechview Manor Hi-rise                                                             | 965, 1059  |
| 43       | Bell Atlantic Mobile Systems, Inc. to allow<br>installation of Mobile Telephone Equipment<br>at 6720 Stanton Avenue, Highland Park  | 73, 217    |
| 515      | Bethlehem Haven in relation to the provision<br>services under the Emergency Shelter Grant<br>Program                               | 544, 611   |
| 398      | Bidwell Music Center for the purchase of equipment<br>for training of low/moderate income persons<br>Amending Resolution No. 225/87 | 464, 510   |
| 982      | Bidwell Training Center for administrative/<br>operating support                                                                    | 964, 1057  |
| 382      | Bloomfield Citizens Council for the furnishing of<br>professional services in 1988                                                  | 462, 581   |
| 1027     | Bloomfield-Garfield Corporation for assistance in<br>running a low-moderate income youth-oriented<br>facility                       | 1003, 1082 |

# **AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                                                         | PAGE              |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1022     | Bloomfield-Garfield Corporation for services in connection with their housing related programs (SPONSORED BY MR. FERLO)                                         | 1003, 1082        |
| 391      | Brashear Association for the furnishing of professional services in 1988                                                                                        | 463, 583          |
| 257      | Buncher Company relating to the acceptance of property to relocate Glen Mawr Avenue and the vacation of the old right-of-way in the 20th Ward                   | 288, 357          |
| 1038     | CareBreak to provide support to low and moderate income persons                                                                                                 | 1005, 1084        |
| 373      | Catalyst Marketing and Advertising for the furnishing of professional services in 1988                                                                          | 461, 577          |
| 429      | Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services                                                       |                   |
|          | Amending Resolution No. 982/87                                                                                                                                  | 470, 588          |
| 384      | Champion Association for the furnishing of professional services in 1988                                                                                        | 462, 581          |
| 644      | Chemical People Institute/Duquesne University for services in connection with their Alcohol and Drug Prevention and Education Program (SPONSORED BY MR. WAGNER) | 675, 770          |
| 665      | City Theatre Company, Inc. for 1988 services                                                                                                                    | 702, 812          |
| 146      | City employees training in the use of of personal computers and software                                                                                        | 199, 294          |
| 228      | Civic Light Opera for 1988 services                                                                                                                             | 283, 418          |
| 994      | Community Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods                     | 996, 1059<br>1159 |
| 507      | Community College of Allegheny County in connection with the City's Summer Employment Project for Mentally Retarded City residents (SPONSORED BY MR. COYNE)     | 543, 654          |
| 522      | Community Human Services in relation to the provision services under the Emergency Shelter Grant Program                                                        | 545, 612          |
| 990      | Community Human Services, Inc. and the URA for financial assistance to operate and expand the "Social Service Program Facility"                                 | 965, 1059         |

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| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                                                                         | <b>PAGE</b>              |
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| 1560            | Construction in connection with alterations at<br>Special Populations Programs Centers to accomdate<br>the physically handicapped<br>Amending Resolution No. 244/88                                                                    | 1521, 1605               |
| 717             | Consultant to provide historic preservation<br>services for the Department of City Planning                                                                                                                                            | 736, 835                 |
| 1193            | Consultant/s and Vendor/s to assist the City in<br>its Citizens Participation Process                                                                                                                                                  | 1141, 1263               |
| 340             | Consultant/s for Landscape Architectural<br>Design in connection with the rehabilitation<br>of various playgrounds                                                                                                                     | 432, 518                 |
| 1190            | Consultant/s for architectural and design services<br>for Main Street commercial revitalization<br>Amending Resolution No. 675/86                                                                                                      | 1141, 1262               |
| 512             | Consultant/s for design services in connection<br>with Renovations to the Bloomfield Pool,<br>Recreation Center and Outdoor Recreation<br>Amending Resolution No. 93/87                                                                | 544, 657                 |
| 1170            | Consultant/s for design services in connection<br>with the reconstruction of the South Highland<br>Avenue Bridge                                                                                                                       | 1138, 1272               |
| 1169            | Consultant/s for design services in connection<br>with the rehabilitation of the Shadeland<br>Avenue Bridge                                                                                                                            | 1138, 1272               |
| 1117            | Consultant/s for services in connection<br>with the validation study of psychological<br>background testing and the administration<br>preparation, evaluation and research<br>or Civil Service entrance and promotional<br>examination | 1077, 1206<br>1254, 1300 |
| 1305            | Consultant/s for services related to the recovery<br>of telephone and other communications services<br>overpayments                                                                                                                    | 1283, 1699               |
| 1303            | Consultant/s for the certification of Business Firms<br>as Minority Owned or Women Owned for the City<br>Amending Resolution No. 558/85                                                                                                | 1282, 1348               |
| 833             | Consultant/s for the implementation of the<br>Swimming Pool Infrastructure Study                                                                                                                                                       | 822, 926                 |
| 1705            | Consultant/s for the implementation of the<br>Swimming Pool Infrastructure Study<br>Amending Resolution No. 468/88                                                                                                                     | 1643, 1721               |

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| BILL NO. | SUBJECT                                                                                                                                                             | PAGE         |
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| 1171     | Consultant/s for the in-depth inspection of the Corliss Tunnel                                                                                                      | 1138, 1272   |
| 1730     | Consultant/s in connection with asbestos and environmental quality assessment and analysis at various city facilities<br>Amending Resolution No. 466/88             | 1660, 1768   |
| 835      | Consultant/s in connection with asbestos and environmental quality assessment and analysis at various city facilities<br>Amending Resolution Nos. 274/85 and 390/86 | 833, 927     |
| 1196     | Consultant/s to assist the City in its Citizens Participation Process<br>Amending Resolution No. 629/85                                                             | 1142, 1263   |
| 1194     | Consultant/s to assist the City in its Citizens Participation Process<br>Amending Resolution No. 659/87                                                             | 1142, 1263   |
| 1195     | Consultant/s to assist the City in its Citizens Participation Process<br>Amending Resolution No. 748/86                                                             | 1142, 1263   |
| 1417     | Consultant/s to assist the City in its Citizens Participation Process<br>Amending Resolution No. 783/88                                                             | 1392, 1472   |
| 1192     | Consultant/s to conduct planning and management studies                                                                                                             | 1141, 1263   |
| 1431     | Consultant/s to investigate the City-County Building pipe tunnel for structural problems in order to recommend a course of action                                   | 1395, 1478   |
| 1288     | Consultant/s to preform professional services of various city facilities on an as-needed basis<br>Amending Resolution No. 319/85                                    | 1279, 1356   |
| 718      | Consultant/s to provide computer consulting services related to the management of the City's Permit Parking Program                                                 | 736, 835     |
| 701      | Consultant/s for Construction Inspection Services in connection with the Reconstruction of Grant Street, Phase II<br>Amending Resolution Nos. 678/86 and 64/87      | 732, 843     |
| 102      | Consultants to provide equipment software and photographic products for a Land Records Management System                                                            | 159, 250     |
| 13       | Consultation on "Underground Storage Tank Management at the City Garage Facilities                                                                                  | 33, 216, 251 |

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| BILL NO. | SUBJECT                                                                                                                                                             | PAGE         |
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| 548      | Consulting services on an "As Needed" basis<br>for construction inspection<br>Amending Resolution No. 631/85                                                        | 602, 659     |
| 1153     | Contractor/s for professional services in<br>conjunction with Department of Parks and<br>Recreation, Special Events and Cultural Affairs                            | 1103, 1227   |
| 465      | Court Reporter/s for the taking of testimony<br>at Civil Service Commission and Appeals Board<br>hearings                                                           | 505, 609     |
| 383      | Crafton Heights Community Services for the<br>furnishing of professional services in 1988                                                                           | 462, 581     |
| 187      | Design and Consultant Management of the<br>Retrofit/Rehabilitation/Renovations/Asbestos<br>Removal of the Public Safaety Building<br>Amending Resolution No. 933/86 | 237, 419     |
| 795      | Design and construction of the Main Salt<br>Storage Dome and Satellite Domes<br>Amending Resolution No. 390/85                                                      | 788, 879     |
| 1726     | Design and construction of the Main Salt<br>Storage Dome and Satellite Domes<br>Amending Resolution No. 465/88                                                      | 1659, 1721   |
| 22       | Design and implementation of City-wide training<br>programs for city employees                                                                                      | 35, 131, 169 |
| 145      | Design/Programming data processing and/or<br>auotmated information systems/applications                                                                             | 199, 293     |
| 1114     | Designating a City paying agent for its<br>Worker's Compensation obligations                                                                                        | 1076         |
| 311      | Development Training Institute, Inc. of<br>Baltimore, Maryland to conduct a four-day<br>workshop for Community Planners on various<br>Economic Development Topics   | 380, 476     |
| 20       | Dickie, McCamey and Chilcore, P.C. for<br>services for the City Controller                                                                                          | 35, 126      |
| 14       | Direct purchase of natural gas for City<br>Facilities                                                                                                               | 34, 216      |
| 378      | Duquesne University for the furnishing of<br>professional services in 1988                                                                                          | 462, 580     |
| 514      | East End Cooperative Ministry in relation to<br>the provision services under the Emergency<br>Shelter Grant Program                                                 | 544, 611     |

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| BILL NO. | SUBJECT                                                                                                                                           | PAGE       |
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| 317      | Educational Institution/s for a Work-Study Program and also provide clerical assistance to the Department of Personnel and Civil Service          | 381, 473   |
| 1037     | Elder-Ado, Inc. for housing counseling services to assist the elderly and low income persons                                                      | 1005, 1084 |
| 185      | Elevator Maintenance at various city facilities                                                                                                   |            |
|          | Repealing Resolution No. 519/83                                                                                                                   | 237, 359   |
| 1023     | Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program                                          | 1003, 1082 |
| 672      | Engineering Services in connection with the Schenley Park Underpass Rehabilitation                                                                |            |
|          | Amending Resolution Nos. 677/86 and 709/87                                                                                                        | 703, 816   |
| 1246     | Engineering services in connection with the design of the T-1 Ramp at the Stadium between Reedsdale and Ridge Avenue                              | 1198, 1274 |
| 550      | Engineering services in connection with the Design of the Emergency Operation and Communication Center                                            |            |
|          | Amending Resolution No. 996/86                                                                                                                    | 602, 690   |
| 1151     | Equibank (Merchant Agreement) for the implementation of a Visa/Mastercard payment program at the City Towpound                                    | 1103, 1213 |
| 651      | Ernest T. Williams, Jr. Memorial Center for services in connection with the East End Raiders Football Program                                     | 677, 760   |
|          | (SPONSORED BY MRS. MASLOFF)                                                                                                                       | 813        |
| 190      | Garfield Community Organization, Inc. and the Stanton Heights Civic Association, Inc. for the staffing and operation of an inter-community office |            |
|          | Repealing Resolution No. 939/81                                                                                                                   | 238, 358   |
| 985      | Garfield YMCA for administrative support                                                                                                          | 965, 1058  |
| 999      | Generations Together for administrative assistance with the youth volunteer services for elderly program                                          | 967, 1060  |
| 929      | Geotechnical services on a "as needed" basis                                                                                                      |            |
|          | Amending Resolution No. 494/87                                                                                                                    | 938, 1021  |
| 1595     | Grant Street Reconstruction - Phase 4, for construction inspection services                                                                       | 1570, 1629 |
| 412      | Greater Pittsburgh Commission for Women funding not to exceed \$75,000.00                                                                         | 467, 509   |

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| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                   | PAGE       |
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| 345      | Greater Pittsburgh Convention and Visitors Bureau, Inc. and the David Lawrence Convention Center, and the Commission on Presidential Debates, to enable parties to produce and hold a debate in Pittsburgh during the 1988 general election campaign between Presidential or Vice-Presidential candidates | 433, 474   |
| 385      | Greenfield Baseball Association for the furnishing of professional services in 1988                                                                                                                                                                                                                       | 463, 582   |
| 1282     | Greenfield Cougars for professional services in connection with their football program (SPONSORED BY MR. COYNE)                                                                                                                                                                                           | 1278, 1350 |
| 784      | Hazelwood Little League Association for services in connection with the Summer Baseball Program (SPONSORED BY MR. COYNE)                                                                                                                                                                                  | 786, 946   |
| 7        | Hazelwood Little League for services in connection with their Summer Baseball Program (SPONSORED BY MR. COYNE)                                                                                                                                                                                            | 786        |
| 1040     | Hazelwood-Glen-Hazel-Glenwood Citizens Council for assistance in operating the Phonecheck of Greater Hazelwood Project                                                                                                                                                                                    | 1005, 1084 |
| 1421     | Health and Welfare Planning Association for the administration of the Commission on Families Amending Resolution No. 1043/86                                                                                                                                                                              | 1393, 1472 |
| 992      | Health and Welfare Planning Association for Administrative Support in operating the "Commission on Families" program                                                                                                                                                                                      | 966, 1059  |
| 1767     | Hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh in the case of the Metropolitan Pittsburgh Crusade for Voters, et. al., verses the City of Pittsburgh, et. al.                                                                                          | 1666, 1744 |
| 379      | Homewood Brushton Baseball Association for the furnishing of professional services in 1988                                                                                                                                                                                                                | 462, 580   |
| 1257     | Homewood Brushton Stinger Athletic Club for services in connection with their Football Program (SPONSORED BY MR. LYONS)                                                                                                                                                                                   | 1200, 1268 |
| 983      | Homewood-Brushton Improvement Association and the URA for rehabilitation of the a Personal Care Boarding Home                                                                                                                                                                                             | 964, 1058  |



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| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                          | <b>PAGE</b> |
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| 1116            | Hospitals/Physicians for services in connection with the administration and evaluation of medical examination and test for Civil Service Commission's Medical Examination Program       | 1076, 1205  |
| 1418            | Housing Authority for site assembly, construction and sale of a retail store in the Allentown neighborhood of the City                                                                  |             |
| 1002            | Amending Resolution No. 522/88                                                                                                                                                          | 1392, 1472  |
| 1457            | Housing Authority for site assembly, construction and sale of a retail store in the Allentown neighborhood of the City                                                                  |             |
| 1311            | Amending Resolution No. 732/80                                                                                                                                                          | 967, 1018   |
| 229             | Hunger Services Network for administrative assistance in operating the Penn Avenue Office                                                                                               | 1414, 1478  |
| 31              | Implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program                                                                             | 1284, 1332  |
| 469             | Independent Contractors for the hiring of taxonomists to catalogue the plant collection at Phipps Conservatory                                                                          | 283, 418    |
| 1304            | Instructors for the Training Academy                                                                                                                                                    | 46, 139     |
| 139             | Instructors for the Training Academy                                                                                                                                                    |             |
| 1646            | Amending Resolution No. 16/88                                                                                                                                                           | 506, 618    |
| 110             | Internship for a graduate student for professional services in connection with the grant from Urban Consortium Energy Task Force (UCETF) for the Alternative Vehicle Fuel Usage Project | 1283        |
| 1024            | Internship for graduate students to perform various energy related services for the Department of General Services                                                                      |             |
| 1029            | Amending Resolution 146/87                                                                                                                                                              | 198, 315    |
|                 | Internship for graduate students to perform various energy related services for the Department of General Services                                                                      |             |
|                 | Amending Resolution No. 80/88                                                                                                                                                           | 1603, 1675  |
|                 | James R. Staud, VMD. for veterinarian services                                                                                                                                          | 160, 263    |
|                 | Jewish Community Center for assistance in their operation of their scholarship program                                                                                                  | 1003, 1082  |
|                 | Jewish Community Center for service in connection with their Friendship Line counseling program                                                                                         | 1004, 1083  |

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| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                                                                            | <b>PAGE</b> |
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| 997             | Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Program)                                                                                                                         | 966, 1060   |
| 1026            | Jewish Family and Children's Service Center to provide administrative support to the Agency                                                                                                                                               | 1003, 1082  |
| 1756            | Laboratories for services in connection with the administration and evaluation of drug and/or alcohol laboratory tests required by the City of Pittsburgh medical examinations program for employment examinations                        | 1665, 1697  |
| 464             | Laboratories for services in connection with the administration and evaluation of testing for City of Pittsburgh employees and candidates                                                                                                 | 505, 607    |
| 1378            | Landscape/Architectural Services on various city facilities on an as-needed basis in response to the Capital Budget Program                                                                                                               |             |
|                 | Amending Resolution No. 145/87                                                                                                                                                                                                            | 1369, 1481  |
| 1031            | Lawrenceville Business Association for commercial district revitalization program in Lawrenceville                                                                                                                                        | 1004, 1083  |
| 1032            | Lawrenceville Citizens Council for assistance with community development programs                                                                                                                                                         | 1004, 1083  |
| 1033            | Lawrenceville Development Corporation for their economic development revitalization program                                                                                                                                               | 1004, 1083  |
| 704             | Leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building                                                                                      |             |
|                 | Amending Resolution No. 932/86                                                                                                                                                                                                            | 733, 842    |
| 418             | Legal Advocacy for Women, AKA Support for the furnishing of professional services in 1988                                                                                                                                                 | 468, 587    |
| 516             | Light of Life Rescue Mission in relation to the provision services under the Emergency Shelter Grant Program                                                                                                                              | 544, 611    |
| 377             | Lincoln Place Youth Athletic Association for the furnishing of professional services in 1988                                                                                                                                              | 461, 579    |
| 803             | Local Educational Agencies, private-for-profit businesses, non-profit organizations and various agencies to provide various services in connection with the implementation of the City of Pittsburgh's II-A State Education Grant Program | 790, 868    |
| 381             | Lower Hill Outreach YMCA for the furnishing of professional services in 1988                                                                                                                                                              | 462, 581    |

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| BILL NO. | SUBJECT                                                                                                                                                                        | PAGE               |
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| 601      | Lutheran Service Society for services in connection with the U.S.D.A. Commodity Distribution (SPONSORED BY MR. WOODS)                                                          | 635, 718           |
| 632      | Manufacture, supply, install and provide necessary services related to new street signs Amending Resolution No. 1041/87                                                        | 674, 795           |
| 555      | Metropolitan Tenant's Organization, Inc. for services during 1988 (SPONSORED BY MR. LYONS)                                                                                     | 603, 655           |
| 517      | Miyram's in relation to the provision services under the Emergency Shelter Grant Program                                                                                       | 544, 611           |
| 988      | Montefiore Hospital for administrative assistance in operating their "Living at Home Program"                                                                                  | 965, 1058          |
| 973      | Mt. Washington/Duquesne Hieghts United Block Watch for the services in connection with National Night Out Parade, July 30, 1988 (SPONSORED BY MR. DEPASQUALE)                  | 963, 1020          |
| 908      | NeighborFair, Inc. to provide funding for Neighbor Fair 1988                                                                                                                   | 902, 969           |
| 1145     | North Side Civic Development Council for the hiring of a consultant to conduct a traffic study of the Calbride Triangle Area of the North Side                                 | 1102, 1219<br>1308 |
| 48       | Northside Common Ministries in connection with their Food Pantry Program Amending Resolution No. 412/87                                                                        | 75, 181            |
| 518      | Northside Common Ministries in relation to the provision services under the Emergency Shelter Grant Program                                                                    | 545, 611           |
| 907      | Overbrook Community Council for services with their sponsorship of the Carrick High School Band performing in Washington, D.C. on the Fourth of July (SPONSORED BY MR. WAGNER) | 902, 947           |
| 1407     | Overbrook Recreation Center, land, design and construction                                                                                                                     | 1390, 1483         |
| 227      | Ozanam Cultural Center for 1988 services                                                                                                                                       | 283, 417           |
| 415      | P.B.A., Inc. The Second Street for the furnishing of professional services in 1988                                                                                             | 468, 568           |

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| BILL NO. | SUBJECT                                                                                                                                                                                                                                             | PAGE          |
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| 234      | Paramedic Services for the Civic Arena Corp.<br>by changing where the funds shall be deposited<br>from EMS Reimbursement Trust Fund to the<br>General Fund of the City of Pittsburgh<br>Amending Resolution No. 1153/82<br>(SPONSORED BY MR. FERLO) | 284           |
| 235      | Paramedic Services for Pitt University<br>by changing where the funds shall be deposited<br>from EMS Reimbursement Trust Fund to the<br>General Fund of the City of Pittsburgh<br>Amending Resolution No. 1152/82<br>(SPONSORED BY MR. FERLO)       | 284           |
| 1036     | Parental Stress Center, Inc. to provide<br>administrative support to the Agency                                                                                                                                                                     | 1005, 1084    |
| 100      | Parking Authority, Stadium Authority and<br>URA to purchase bituminous materials,<br>to include other municipalities and<br>governmental agencies outside the City<br>Amending Resolution No. 1215/82<br>(SPONSORED BY MR. FERLO)                   | 158, 246, 300 |
| 338      | Patrick Media Group, Inc. for the payment of<br>costs sustained upon the removal and installation<br>of its billboard on property owned by POA<br>Company, 20th Ward                                                                                | 432, 484, 522 |
| 1287     | Pennsylvania Avenue Bridge, design and replacement<br>Amending Resoltuion No. 155/87                                                                                                                                                                | 1279, 1356    |
| 1395     | Performers, Instructors, Artists and other persons<br>with specialized skills in connection with the<br>Department of Parks and Recreation's Programs                                                                                               | 1372, 1679    |
| 984      | Perry Hilltop South CDC for administrative support                                                                                                                                                                                                  | 965, 1058     |
| 49       | Pittsburgh AIDS Task Force, Inc. for programs<br>of awareness for City Residents, for 1988<br>Amending Resolution No. 883/87                                                                                                                        | 75, 181       |
| 1041     | Pittsburgh AIDS Task Force, Inc. for the services<br>in connection with its program of advocacy services<br>Amending Resolution No. 883/1987                                                                                                        | 1005, 1084    |
| 996      | Pittsburgh Action Against Rape for counseling<br>services for victims of sexual abuse                                                                                                                                                               | 966, 1060     |
| 417      | Pittsburgh Action Against Rape for the<br>furnishing of professional services in 1988                                                                                                                                                               | 468, 587      |

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| BILL NO. | SUBJECT                                                                                                                                                                                                      | PAGE                      |
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| 629      | Pittsburgh Aqua Zoo renovations                                                                                                                                                                              | 673, 777                  |
| 1558     | Pittsburgh Aqua Zoo renovations<br>Amending Resolution No. 362/88                                                                                                                                            | 1520, 1591                |
| 395      | Pittsburgh Ballet for the furnishing of<br>professional services in 1988                                                                                                                                     | 464, 585                  |
| 666      | Pittsburgh Board of Public Education for services<br>in connection with the Summer Food Services<br>Program                                                                                                  | 702, 812                  |
| 1105     | Pittsburgh Community Services, Inc for the<br>implementation of the Home Security Program<br>including Block Watch Organizers and the<br>installation of locks and smoke detectors                           | 1074, 1171                |
| 1001     | Pittsburgh Community Services, Inc. for the<br>operation and implementation of a City-Wide<br>Food Distribution and Services Program                                                                         | 967, 1016                 |
| 1455     | Pittsburgh Community Services, Inc. for the<br>provision of administrative assistance in<br>carrying out hunger related programs for<br>the low and moderate income persons                                  | 1413, 1478                |
| 1069     | Pittsburgh Community Services, Inc. for the<br>operation and implementation of a "Citywide<br>Food Distribution and Services Program"                                                                        | 1037, 1085,<br>1132, 1176 |
| 1021     | Pittsburgh Community Services, Inc. for the<br>operation and implementation of a Citywide<br>Food Distribution and Services Program<br>(SPONSORED BY MR. FERLO)                                              | 1003, 1081<br>1162        |
| 993      | Pittsburgh Community Services, Inc. located at<br>1835 Centre Avenue for the provision of<br>administrative assistance in carrying out<br>programs for public services to low and<br>moderate income persons | 966, 1059                 |
| 394      | Pittsburgh Dance Council for the furnishing<br>of professional services in 1988                                                                                                                              | 464, 584                  |
| 630      | Pittsburgh International Engineering Design<br>Services for the incorporation of ventilation<br>at the Department of Public Works, Traffic<br>Division Building in the Strip District                        | 673, 778                  |
| 390      | Pittsburgh Opera for the furnishing of<br>professional services in 1988                                                                                                                                      | 463, 583                  |

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| BILL NO. | SUBJECT                                                                                                                                                                                                       | PAGE             |
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| 1101     | Pittsburgh Public School District and/or other private for profit or non-profit entities to provide JTPA or CDBG eligible youth with employment opportunities                                                 | 1074, 1135       |
| 948      | Pittsburgh Public Schools and/or other entities to provide JTPA eligible youths with employment opportunities and training<br>(SPONSORED BY MR. LYONS)                                                        | 940, 970<br>1078 |
| 905      | Pittsburgh Steelers Sports, Inc., the Stadium Authority of the City of Pittsburgh and consented to be Pittsburgh Baseball Associates                                                                          | 902, 1039        |
| 226      | Pittsburgh Symphony for 1988 services                                                                                                                                                                         | 283, 417         |
| 370      | Pittsburgh Trust for Cultural Resources for the furnishing of professional services in 1988                                                                                                                   | 460, 573         |
| 392      | Pittsburgh Youth Symphony for the furnishing of professional services in 1988                                                                                                                                 | 464, 584         |
| 865      | Polish Hill Citizens Association for the Kidswatch Program                                                                                                                                                    | 859, 948         |
| 1030     | Polished Apple Enterprise, Inc. for community social services                                                                                                                                                 | 1004, 1083       |
| 1106     | Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus                                                                                                               | 1074, 1171       |
| 1450     | Port Authority of Allegheny County for the renovation and repair of various bus lanes                                                                                                                         | 1412, 1463       |
| 786      | Port Authority shall have permission to utilize a portion of the Zoo Parking Lot #2 as a "designated Park-N-Ride Area"                                                                                        | 786, 874         |
| 804      | Private-for-profit businesses, non-profit organizations and various agencies to provide various services in connection with the implementation of the City of Pittsburgh's II-A State Education Grant Program | 790, 868         |
| 45       | Professional Engineering Services in connection with the Rehabilitation of the Swinburne Street Bridge<br>Amending Resolution No. 1255/85                                                                     | 74, 141          |
| 884      | Project 90, Inc. for services in connection with their Comprehensive Educational Program<br>(SPONSORED BY MR. DEPASQUALE)                                                                                     | 897, 947         |

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| BILL NO. | SUBJECT                                                                                                                                                                                              | PAGE          |
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| 423      | Project H.O.P.E. for the furnishing of professional services in 1988<br>(SPONSORED BY MR. POLLOCK)                                                                                                   | 469, 572      |
| 112      | Psychologist/s for services to the Department of Public Safety                                                                                                                                       | 160, 263      |
| 1561     | Public Safety Building handicapped accessibility construction and improvements<br>Amending Resolution No. 122/83                                                                                     | 1521, 1606    |
| 276      | Purchase of fuel for city owned vehicles                                                                                                                                                             | 343, 440, 477 |
| 1489     | Purchase of fuel for city owned vehicles<br>Amending Resolution No. 168/88                                                                                                                           | 1454, 1545    |
| 444      | Rehabilitation of the Swineburne Street Bridge, providing for a reimbursement agreement with the Commonwealth of Pennsylvania, Department of Transportation<br>Amending Resolutiuon No. 442/87       | 502           |
| 371      | River City Brass Band for the furnishing of professional services in 1988                                                                                                                            | 461, 576      |
| 986      | Riverview Center for Jewish Services for administrative assistance in operating the Theraputic Activity Social Services programs                                                                     | 965, 1058     |
| 389      | Robert Morris College for the furnishing of professional services in connection with the Pittsburgh Folk Festival, 1988                                                                              | 463, 582      |
| 289      | Ross Township and the City of Pittsburgh for the resurfacing of Rodenbaugh Avenue between Ivory Avenue and the City line                                                                             | 345, 437      |
| 111      | Salvation Army for services in connection with the Public Inebriate Program                                                                                                                          | 160, 263      |
| 1456     | Salvation Army for the payment or maintenance, operation, insurance, utilities and/or furnishing costs in relation to the Emergency Shelter Grants Program                                           | 1414, 1478    |
| 1623     | School District of Pittsburgh and/or Allegheny County and Real Estate Appraiser/s for consulting services in connection with the city's sale or acquisition of real estate and tax assesment matters | 1575, 1625    |
| 386      | Sharing and Caring for the furnishing of professional services in 1988                                                                                                                               | 463, 582      |
| 374      | Sounds of Heritage for the furnishing of professional services in 1988                                                                                                                               | 461, 579      |

# **AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                                                                                                       | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1666     | South Side Local Development Corporation for the implementation of the 3rd year of the Mainstreet Redevelopment Program                                                                                       | 1618, 1673 |
| 567      | Southwest Pittsburgh Community Development Corporation for services during 1988 (SPONSORED BY MR. WOODS)                                                                                                      | 606, 684   |
| 981      | Spring Garden Neighborhood Council, Inc. for professional services                                                                                                                                            | 964, 1057  |
| 1197     | Spring Garden Neighborhood Council, Inc. for services in connection with the "Repair or Replacement of Sidewalks"                                                                                             |            |
|          | Amending Resolution No. 550/88                                                                                                                                                                                | 1142, 1264 |
| 376      | Springview Athletic Association for the furnishing of professional services in 1988                                                                                                                           | 461, 579   |
| 421      | St. Clair Citizens Council for the furnishing of professional services in 1988 (SPONSORED BY MR. POLLOCK)                                                                                                     | 469, 572   |
| 1035     | St. Rosalia Church Food Bank for operating a foodbank project                                                                                                                                                 | 1004, 1084 |
| 77       | Stenographic Reporting Services in connection with Public Hearings                                                                                                                                            | 110, 214   |
| 1624     | Stenographic Reporting Services in connection with public hearing, Commission on Human Relations                                                                                                              | 1575, 1625 |
| 987      | Support (formerly Legal Advocacy for Women) to provide counseling and information for low income women experiencing problems in obtaining child support payment                                               | 965, 1058  |
| 551      | Thaddeus Stevens School and Townsend Playground renovations and providing for a reimbursement agreement with the Board of Public Education                                                                    | 502        |
| 1389     | Third Party administrator for the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Law for a period of three years beginning January 1, 1989 thru December 31, 1991 | 1371, 1400 |
| 424      | Three Rivers Arts Festival for the furnishing of professional services in 1988                                                                                                                                | 469, 612   |
| 372      | Three Rivers Shakespeare Festival for the furnishing of professional services in 1988                                                                                                                         | 461, 576   |



## AGREEMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1208     | URA (cooperation) for the performance of certain work in connection with the 1979 Community Development Block Grant Program, to change the title of a certain line item<br>Amending Resolution No. 472/79                                                              | 1143, 1265 |
| 1209     | URA (cooperation) for the performance of certain work in connection with the 1980 Community Development Block Grant Program, to change the title of a certain line item<br>Amending Resolution No. 313/80                                                              | 1143       |
| 1207     | URA (cooperation) for the performance of certain work in connection with the 1981 Community Development Block Grant Program to change the title of a line item<br>Amending Resolution No. 435/81                                                                       | 1143, 1265 |
| 1202     | URA (cooperation) for the performance of certain work in connection with the 1988-89 Community Development Block Grant Program                                                                                                                                         | 1142, 1264 |
| 1605     | URA and Community Human Services, Inc. for financial assistance to operate and expand their early childhood and congregate living centers<br>Amending Resolution No. 212/87                                                                                            | 1572, 1647 |
| 192      | URA and Hill House for renovation of the building at 2083 Bedford Avenue<br>Amending Resolution No. 793/86                                                                                                                                                             | 238, 358   |
| 406      | URA and Oakland Planning and Development Corporation to provide financial assistance to the purchasers of eleven (11) single family units to be constructed in the 4th Ward (Neighborhood Housing Programs)                                                            | 466, 570   |
| 240      | URA cooperation agreement for the Administration of City Programs and Projects                                                                                                                                                                                         | 285        |
| 409      | URA for Low Income Housing Demonstration Program Cooperation Agreement designation and implementation of \$250,000.00 in Rental Housing Development Improvement Program for Rental Rehabilitation Program Funds (Corpus Christi School Conversion - Lincoln Lemington) | 466, 571   |

# **AGREEMENTS**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                  | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 410      | URA for Low Income Housing Demonstration Program<br>Cooperation Agreement for designation and implementation<br>of \$75,000.00 in Rental Housing Development<br>Improvement Program for Rental Rehabilitation<br>Program Funds (Corpus Christi School Conversion<br>- Lincoln Lemington) | 467, 571   |
| 799      | URA for the Low Income Housing Demonstration<br>Program Agreement for the designation and<br>implementation of \$143,600.00 in Rental<br>Housing Development Improvement Program<br>or Rental Rehabilitation Program Funds                                                               | 789, 872   |
| 801      | URA grant agreement with Hill Community<br>Development Corporation for the Neighborhood<br>Housing Fund for excavation to facilitate the<br>residential development at 1500 block of<br>Colwell Street (construction of four (4)<br>single family units), 3rd Ward                       | 789, 873   |
| 800      | URA grant agreement with Homewood Brushton<br>Revitalization and Development Corporation<br>for curb and sidewalk replacement work,<br>sewer work and barrier wall to facilitate the<br>residential development at URA Dispo Parcel 13,<br>Phase II                                      | 789, 873   |
| 684      | URA to act as agent in matters of property<br>relocation of rights-of-way in connection with<br>the reconstruction of Grant Street/Liberty<br>Avenue                                                                                                                                     | 705, 810   |
| 802      | URA with the Hill Community Development<br>Corporation for financial assistance to the<br>purchasers of four (4) single family units<br>located in the 1500 block of Colwell Street,<br>3rd Ward, under the Neighborhood Housing Fund                                                    | 789, 873   |
| 1025     | United Jewish Federation of Pittsburgh for<br>administrative assistance in operating a Career<br>Development Center for the unemployed                                                                                                                                                   | 1003, 1082 |
| 375      | Uptown Athletic Association for the furnishing<br>of professional services in 1988                                                                                                                                                                                                       | 461, 579   |
| 387      | Uptown Little League for the furnishing of<br>professional services in 1988                                                                                                                                                                                                              | 463, 582   |
| 388      | Uptown Football Association for the furnishing<br>of professional services in 1988                                                                                                                                                                                                       | 463, 582   |

# AGREEMENTS

| BILL NO. | SUBJECT                                                                                                                            | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------|------------|
| 995      | Ursuline Center for administrative support<br>in operating programs serving elderly, unemployed<br>disabled and child catre center | 966, 1060  |
| 420      | Vintage, Inc. for the furnishing of professional<br>services in 1988<br>(SPONSORED BY MR. POLLOCK)                                 | 469, 572   |
| 279      | Walter H. Drane Company for services in connection<br>with the preparation and printing of a supplement<br>to the Pittsburgh Code  | 344, 409   |
| 422      | Welfare Rights Organization for the furnishing<br>of professional services in 1988<br>(SPONSORED BY MR. POLLOCK)                   | 469, 572   |
| 989      | West End-Elliot Joint Project for equity<br>assistance in the purchase of a building<br>of mixed-use residential-commercial        | 965, 1058  |
| 1039     | Western Pennsylvania Conservancy for the Community<br>Self Help Beautification and Community Gardening<br>Programs                 | 1005, 1084 |
| 393      | Western Pennsylvania Conservancy for the<br>furnishing of professional services in 1988                                            | 464, 584   |
| 519      | Whales Tale in relation to the provision services<br>under the Emergency Shelter Grant Program                                     | 545, 611   |
| 521      | Women's Center and Shelter in relation to<br>the provision services under the Emergency<br>Shelter Grant Program                   | 545, 612   |
| 416      | Women's Center and Shelter of Greater Pittsburgh<br>for the furnishing of professional services<br>in 1988                         | 468, 587   |
| 354      | Womens Center and Shelter of Pittsburgh for<br>professional services                                                               | 435, 518   |
| 520      | YMCA - Centre Avenue in relation to the provision<br>services under the Emergency Shelter Grant Program                            | 545, 612   |

## ALCOSAN

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                            | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 42       | Resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power, and that City Council hereby authorize the City Solicitor to petition the Court of Common Pleas for their removal                                                                                                       | 47         |
| 1803     | Approving the Allegheny County's Sanitary Authority's resolution reapportioning the representation of the City of Pittsburgh and Allegheny County on the Authority's Board. This resolution allows the County and the City to pick three Board members each and the seventh member will be selected by the County and the City jointly<br>(SPONSORED BY MR. WOODS) | 1727, 1774 |

## APPOINTMENTS OF COUNCILMEMBERS

| BILL NO. | SUBJECT                                                                                                                                         | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1243     | Appointing Councilman Jim Ferlo as a member of the Pittsburgh Equipment Leasing Authority for a term to expire January 1, 1993                  | 1182 |
| 1244     | Appointing Councilman Jack Wagner as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989 | 1186 |

## APPOINTMENTS

| BILL NO. | NAME              | APPOINTMENT                                                                                    | PAGE                 |
|----------|-------------------|------------------------------------------------------------------------------------------------|----------------------|
| 507      | Bethel, Paul H.   | Pittsburgh Cable Communications Advisory Committee (at-large)<br>Term to expire December, 1990 | 526                  |
| 504      | Cohen, Stephen    | Art Commission<br>For the term of the Mayor                                                    | 526, 548<br>651, 548 |
| 486      | Coyne, Michael    | Public Auditorium Authority<br>Term to expire April, 1993                                      | 524                  |
| 502      | Dotter, Eugene V. | Board of Code Review<br>Term to expire April, 1991                                             | 525, 649             |

# **APPOINTMENTS**

| BILL NO. | NAME               | APPOINTMENT                                                                             | PAGE       |
|----------|--------------------|-----------------------------------------------------------------------------------------|------------|
| 130      | Egler, Margaret    | Pittsburgh Cable Communications<br>Advisory Committee                                   |            |
|          |                    | Term to expire December, 1988                                                           | 183        |
| 1243     | Ferlo, Jim         | Pittsburgh Equipment Leasing<br>Authority                                               |            |
|          |                    | Term to expire January 1, 1993                                                          | 1182       |
| 505      | Gaetano, Louis     | Art Commission                                                                          |            |
|          |                    | For the term of the Mayor<br>(In accordance with Chapter 175<br>of the Pittsburgh Code) | 526        |
| 503      | Guzman, Anna Marie | Board of Code Review                                                                    | 526, 548   |
|          |                    | Term to expire April, 1991                                                              | 650        |
| 763      | Jacoby, George     | Public Parking Authority                                                                |            |
|          |                    | Term to expire May, 1993                                                                | 778        |
| 883      | Johnson, Justin L. | Civil Service Commission                                                                |            |
|          |                    | For the term of the Mayor                                                               | 885        |
| 762      | Kobosky, Bernard   | Public Parking Authority                                                                |            |
|          |                    | Term to expire May, 1993                                                                | 778        |
| 1328     | Lally, James F.    | Board of Code Review                                                                    |            |
|          |                    | Term to expire September, 1991                                                          | 1286, 1295 |
| 487      | Lyons, Otis        | Public Parking Authority                                                                |            |
|          |                    | Term to expire April, 1993                                                              | 524        |
| 1130     | Marcovitz, Richard | Commission on Human Relations                                                           |            |
|          | Rabbi              | Term to expire July, 1992                                                               | 1087       |
| 2030     | Marcovitz, Richard | Commission on Human Relations                                                           |            |
|          | Rabbi              | Term to expire July, 1992                                                               | 1147       |
| 272      | Masloff, Sophie    | President of the Board of Trustees<br>of the Comprehensive Municipal<br>Pension Trust   |            |
|          |                    | Term to expire February, 1992                                                           | 332        |
| 495      | Noonan, John       | Board of Adjustments                                                                    | 525, 548   |
|          |                    | Term to expire April, 1991                                                              | 642        |
| 485      | Pollock, Mark      | Urban Redevelopment Authority                                                           |            |
|          |                    | Term to expire April, 1993                                                              | 523        |
| 884      | Quigley, Robert B. | Cable Advisory Committee                                                                |            |
|          |                    | Term to expire December 31, 1989                                                        | 885        |
| 491      | Scuillo, John J.   | City Planning Commission                                                                |            |
|          |                    | Term to expire January, 1994                                                            | 524        |
| 547      | Sims, Walter       | Art Commission                                                                          |            |
|          |                    | For the term of the Mayor                                                               | 590, 651   |
| 484      | Talarico, Richard  | Housing Authority                                                                       |            |
|          |                    | Term to expire April, 1993                                                              | 523        |

### APPOINTMENTS

| BILL NO. | NAME                | APPOINTMENT                                                                                      | PAGE            |
|----------|---------------------|--------------------------------------------------------------------------------------------------|-----------------|
| 1131     | Titus, Floyd        | Commission on Human Relations<br>Term to expire July, 1992                                       | 1087            |
| 2031     | Titus, Floyd        | Commission on Human Relations<br>Term to expire July, 1992                                       | 1147            |
| 652      | Turner, James       | Equipment Leasing Authority<br>Term to expire June, 1988                                         | 677             |
| 761      | Turner, James W.    | Pittsburgh Water and Sewer<br>Authority<br>Term to expire January, 1993                          | 778             |
| 496      | Uhrich, Timothy G.  | Water and Sewer Authority<br>Term to expire April, 1993                                          | 525, 548<br>642 |
| 1244     | Wagner, Jack        | Allegheny County Sanitary<br>Authority to fill the unexpired<br>Term to expire December 31, 1989 | 1186            |
| 129      | Wasler, Philip      | Pittsburgh Cable Communications<br>Advisory Committee<br>Term to expire 12-31-88                 | 183             |
| 301      | Watson, Robert      | City Court<br>Term to expire March, 1992                                                         | 373, 383        |
| 506      | William, Mark       | Art Commission<br>For the term of the Mayor                                                      | 526, 548<br>651 |
| 759      | Zebrowski, Marianne | Civil Service Commission<br>For the term of the Mayor                                            | 778             |

### AUDIT

| BILL NO. | SUBJECT                                                                                                              | PAGE     |
|----------|----------------------------------------------------------------------------------------------------------------------|----------|
| 99       | Directing the City Controller to conduct a preformance<br>audit of the Housing Authority<br>(SPONSORED BY MR. FERLO) | 158, 243 |

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**BUDGET**

**APPROPRIATIONS (OPERATING) BUDGET - 1989**

| BILL NO. | SUBJECT                                                                                                                                                                               | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1682     | Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1989 | 1621, 1771 |

**CAPITAL AND COMMUNITY DEVELOPMENT BUDGET - 1989**

| BILL NO. | SUBJECT                                                                                                                                                                | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1684     | Adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program | 1621, 1773 |

**SALARIES (OPERATING) BUDGET - 1989**

| BILL NO. | SUBJECT                                                                                                                                                              | PAGE       |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1683     | Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1989 | 1621, 1772 |

**BUDGET AMENDMENTS**

| BILL NO. | SUBJECT                                                                                                                              | PAGE      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 949      | Adding a line item in the Department of Engineering and Construction                                                                 |           |
|          | Amending Section 10 of Resolution No. 1181/86                                                                                        | 941, 1015 |
| 552      | Adding line item EC 88-66 and adjusting the summary totals to include renovations to Townsend and Thaddeus Stevens School Playground |           |
|          | Amending Resolution No. 1094/88                                                                                                      | 602, 609  |

# BUDGET AMENDMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                           | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 76       | Adding the As Needed positions of Legal Consultant,<br>Fiscal Consultant, and Engineering Consultant<br>Amending Resolution No. 1093/87<br>(SPONSORED BY MICHELLE MADOFF)                                                                                                                                                                                         | 109, 170   |
| 29       | Adding the following sections to the other<br>authorization language to allow 4 percent wage<br>increase for non-union employees and elected officers<br>Amending Resolution No. 1093/87                                                                                                                                                                          | 36         |
| 966      | Allocating 1988 NPA funds for two (2) existing projects<br>(EC 88-68 and EC 88-69), by creating two (2) new line<br>items (EC 88-70 and EC 88-71) and by adjusting the<br>summary totals<br>Amending Resolution No. 1094/88                                                                                                                                       | 962, 1023  |
| 1198     | Application for a grant with the U.S. Department of<br>Housing for the 1979 Community Development Housing<br>Block Grant Program by changing the title of line<br>item (from "Neighborhood Development Office" to the<br>"Neighborhood District Office - Hilp Subsidized<br>Loans") in the Department of Housing<br>Amending Section 11 of Resolution No. 1549/78 | 1142, 1264 |
| 1189     | Application for a grant with the U.S. Department of<br>Housing for the 1980 Community Development Block Grant<br>Program by changing the title of a line item in the<br>Department of Housing<br>Amending Section 11 of Resolution No. 1228/79                                                                                                                    | 1141, 1263 |
| 1191     | Application for a grant with the U.S. Department of<br>Housing for the 1981 Community Development Block Grant<br>Program by changing the title of a line item in the<br>Department of Housing<br>Amending Section 11 of Resolution No. 1420/80                                                                                                                    | 1141, 1262 |
| 841      | Changing a line item in the Department of Engineering<br>and Construction from Leslie Recreation Center,<br>EC 82-04, to Step Reconstruction                                                                                                                                                                                                                      | 823, 924   |
| 634      | Changing one code account and adding two code<br>accounts that were previously omitted<br>Amending Resolution No. 1094/88                                                                                                                                                                                                                                         | 674, 759   |
| 443      | Changing the title of line item EC 86-15 to<br>"Swineburne Street Bridge Trust Fund Transfer"<br>by increasing this line item by \$795,000.00<br>and adjusting the summary totals<br>Amending Resolution No. 1283/85                                                                                                                                              | 502, 588   |



# BUDGET AMENDMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                       | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1003     | Community Development Statement with the U.S. Department of Housing for a grant in connection with the 1988 Community Development Block Grant Program to decrease line item (CC-88-10) "City Council Hunger Services Network" and increase line item (CC-88-01) City Council Pittsburgh Community Services (Hunger Program)<br>Amending Resolution No. 448/88 | 967, 1018  |
| 206      | Creating a new line item (EC 88-65 "Troy Hill Fire Station No. 9 Rehabilitation")<br>Amending Resolution No. 1094/88<br>(SPONSORED BY MR. WOODS)                                                                                                                                                                                                              | 240, 363   |
| 1177     | Creating two (2) new line items, (EC 88-72 and EC 88-73) and adjusting the summary totals<br>Amending Resolution No. 1094/88                                                                                                                                                                                                                                  | 1139, 1274 |
| 1376     | Creating two (2) new line itmes (EC 88-76 and EC 88-77) and by adjusting the summary totals<br>Amending Resolution No. 1094/88                                                                                                                                                                                                                                | 1369, 1483 |
| 75       | Decreasing Code Account 57, Social Security Fund from \$5,586,400.00 to \$5,466,400.00<br>(Companion to Bill 82)<br>Amending Resolution No. 1092/87<br>(SPONSORED BY MICHELLE MADOFF)                                                                                                                                                                         | 109, 170   |
| 53       | Decreasing ULO allocation to the YMCA of Pittsburgh, and adding a new line item, Bloomfield-Garfield Corporation<br>Amending Resolution No. 1094/87<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                                                             | 76, 163    |
| 1419     | Decreasing a line item in the Department of City Planning. The newly created line item is "Commission on Families"<br>Amending Section 11 of Resolution No. 1228/79                                                                                                                                                                                           | 1393, 1472 |
| 191      | Decreasing line item (CP 80-10 - Standfield) and to increase (CC 81-01 - City Council, Unspecified Local Options)<br>Amending Section 11 of Resolution No. 1420/80                                                                                                                                                                                            | 238, 358   |

# BUDGET AMENDMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 403      | Decreasing line item (Small - Minority Business Revolving Loan Fund) (HR 82-20) (-\$147,600.32) and further adding line items to the Department of Engineering and Construction (Play Area Rehabilitation) (EC 82-03) (+\$47,600.32) and Leslie Recreation Center (EC 82-04) (+\$100,000.00) This resolution is the final piece of a package of legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding) |            |
|          | Amending Resolution No. 1439/81                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 465, 570   |
| 400      | Decreasing line item Allegheny Commons Park Lighting (EC 87-37) (-\$100,000.00); and adjusting the summary totals for the Department of Engineering and Construction (part of a package of legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding)                                                                                                                                                      |            |
|          | Amending Resolution No. 1187/86                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 465, 569   |
| 401      | Decreasing line item Rehab Existing Play Areas (EC 88-40) (-\$47,600.32); and adjusting the summary totals for the Department of Engineering and Construction (part of a package of legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUS for a prior year program monitor/audit finding)                                                                                                                                                             |            |
|          | Amending Resolution No. 1094/87                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 465, 570   |
| 1420     | Decreasing the Department of Public Works budget and reallocating these monies to the Unspecified Local Options budget to be used for the "Commission on Families" project                                                                                                                                                                                                                                                                                                                     | 1393, 1472 |
| 1729     | Increasing EC 88-21 by \$220,000.00, by increasing EC 88-70 by \$137,000.00 and by adjusting the summary total                                                                                                                                                                                                                                                                                                                                                                                 |            |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1660, 1768 |
| 1557     | Increasing EC 88-30 by \$125,000.00 to cover the emergency replacement of the roof on the Aqua Zoo and adjusting the summary total                                                                                                                                                                                                                                                                                                                                                             |            |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1520, 1591 |

# BUDGET AMENDMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                           | PAGE         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 670      | Increasing EC 88-32 by \$1,125,000.00 and by changing the funding source (to provide sufficient funds for the Tropical Forest Complex Exhibitory, Pittsburgh Zoo)                                                                                                                                 |              |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                   | 703, 814     |
| 633      | Increasing a line item (CP 88-10) Neighborhood Street Sign Program, and adjusting the summary totals                                                                                                                                                                                              |              |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                   | 674, 809     |
| 1529     | Increasing a line item EC 88-76, Bloomfield                                                                                                                                                                                                                                                       |              |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                   |              |
|          | (SPONSORED BY MR. FERLO)                                                                                                                                                                                                                                                                          | 1492, 1557   |
| 1253     | Increasing a line item and adjusting the summary totals                                                                                                                                                                                                                                           |              |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                   | 1199, 1261   |
| 1250     | Increasing a line item and adjusting the summary totals                                                                                                                                                                                                                                           |              |
|          | Amending Resolution No. 1187/87                                                                                                                                                                                                                                                                   | 1199, 1260   |
| 188      | Increasing line item (EC 86-88 - Retrofit of the Public Safety Building) and adjusting the summary totals                                                                                                                                                                                         |              |
|          | Amending Resolution No. 1283/85                                                                                                                                                                                                                                                                   | 237, 424     |
| 705      | Increasing line item (GS 86-06) and adjusting the summary totals (to cover the cost of relocating City Information Systems, City Courts and OPR)                                                                                                                                                  |              |
|          | Amending Resolution No. 1283/85 and 929/86                                                                                                                                                                                                                                                        | 733, 842     |
| 402      | Increasing line item Disallowed CDBG Costs (UR 85-29) and adjusting the summary totals for the Urban Redevelopment Authority (part of a package of legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding) |              |
|          | Amending Resolution No. 1150/85                                                                                                                                                                                                                                                                   | 465, 570     |
| 1801     | Increasing line item EC 88-28 by \$550,000.00 and by adjusting the summary totals                                                                                                                                                                                                                 |              |
|          | Amending Resolution No. 1094/88                                                                                                                                                                                                                                                                   | 1726, 1776   |
| 12       | Increasing line item GS 87-01 and adjusting the summary totals                                                                                                                                                                                                                                    |              |
|          | Amending Resolution No. 1187/87                                                                                                                                                                                                                                                                   | 33, 137, 183 |
| 720      | Making certain additions and corrections                                                                                                                                                                                                                                                          |              |
|          | Amending Resolution No. 1092/87                                                                                                                                                                                                                                                                   | 736, 826     |

# BUDGET AMENDMENTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                 | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 721      | Making certain additions and corrections<br>Amending Resolution No. 1093/87                                                                                                                                                                                                             | 736, 826   |
| 829      | Reducing EC 88-23 by \$100,000.00 NPA funds and<br>showing \$100,000.00 prior years CD funds available<br>by increasing EC 88-47 by \$200,000.00; by creating<br>a new line item (EC 88-67); and by adjusting the<br>summary totals                                                     | 821, 884   |
| 1247     | Transferring Code Account PW 86-13, Oranmore and<br>Brintell, to the 1987 Capital Budget and adjusting<br>the summary totals<br>Amending Resolution No. 1283/86                                                                                                                         | 1198, 1260 |
| 702      | Transferring EC 86-04, Oranmore and Brintell,<br>to the Department of Public Works an adjusting<br>the summary totals<br>Amending Resolution No. 1283/86                                                                                                                                | 733, 844   |
| 1535     | Transferring funds from CP 86-09, Neighborhood<br>Street Sign Program, to the Department of<br>Public Works, and adjusting the summary<br>totals (A total of \$1,790,000.00 is being<br>transferred from the 1986, 1987, and 1988<br>Capital Budget)<br>Amending Resolution No. 1283/86 | 1494, 1543 |
| 1534     | Transferring funds from CP 87-08, Neighborhood<br>Street Sign Program, to the Department of<br>Public Works, and adjusting the summary<br>totals (A total of \$1,790,000.00 is being<br>transferred from the 1986, 1987, and 1988<br>Capital Budget)<br>Amending Resolution No. 1187/87 | 1493, 1543 |
| 1533     | Transferring funds from CP 88-10, Neighborhood<br>Street Sign Program, to the Department of<br>Public Works, and adjusting the summary<br>totals (A total of \$1,790,000.00 is being<br>transferred from the 1986, 1987, and 1988<br>Capital Budget)<br>Amending Resolution No. 1094/88 | 1493, 1543 |

### CABLE COMMUNICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                                                     | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 329      | Providing favor the transfer of the Cable Communications System Franchise Agreement of October 31, 1984 with the City of Pittsburgh, from Pittsburgh Tele-Communications, Inc. to TCI of Pennsylvania, Inc. | 383, 473 |

### CARRY-OVER CODE ACCOUNTS, 1987 TO 1988

| BILL NO. | SUBJECT                                                                                                                                                            | PAGE     |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 315      | Carrying over portions thereof remaining in certain code account for the year 1987 to the same or other code accounts for the year 1988 (SPONSORED BY MR. POLLOCK) | 381, 507 |

### CERTIFICATE OF ELECTION

| BILL NO. | SUBJECT                                     | PAGE |
|----------|---------------------------------------------|------|
| 1        | Coyne, Michael F. - Certificate of Election | 2    |
| 2        | Ferlo, Jim - Certificate of Election        | 2    |
| 3        | Lyons, Jr., Otis - Certificate of Election  | 3    |
| 4        | Madoff, Michelle - Certificate of Election  | 3    |
| 5        | Wagner, Jack - Certificate of Election      | 3    |

### CHANGING NAME

| BILL NO. | SUBJECT                                                                                                   | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------|------------|
| 1292     | Changing the name of Grant Street to Richard S. Caliguiri Boulevard (SPONSORED BY MR. FERLO)              | 1280       |
| 1434     | Changing the name of English Lane Field in Frick Park to Stanley Lederman Field (SPONSORED BY MR. WAGNER) | 1395, 1547 |

### CITY PLANNING

| BILL NO. | SUBJECT                                                                                                                                                                                                            | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1805     | Authorizing the Director of City Planning to transfer \$200,000.00 from Prior years unspent CDBG funds into Code Account CC 89-03, Pittsburgh Community Services, Inc., Hunger Program<br>(SPONSORED BY MR. WOODS) | 1727, 1775 |

### CLOSE OUT AGREEMENTS

| BILL NO. | SUBJECT                                                                                                                                              | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1205     | Close-out agreement with the United States Department of Housing and Urban Development for the North Side Urban Development Action Grant Project     | 1143, 1265 |
| 1204     | Close-out agreement with the United States Department of Housing and Urban Development for the Station Square Urban Development Action Grant Project | 1143, 1265 |
| 1203     | Close-out agreement with the United States Department of Housing and Urban Development for the Parkway Center Urban Development Action Grant Project | 1143, 1265 |

### CONDITIONAL USE APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                      | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 16       | Abraxas Foundation, Inc. for a Group Care Facility, 362 South Negley Avenue, 8th Ward                                                                                        | 34, 132    |
| 588      | Allegheny County Medical Society, 713 Ridge Avenue, to expand facility to include, 701 Ridge Avenue for parking and 717 Ridge Avenue for an extension to the building        | 633, 1050  |
| 1043     | Bry-Mard Apartments, Inc. to convert the existing school building into 37 dwelling units for the elderly on property located at Bricelyn Street and Eymard Street, 13th Ward | 1006, 1085 |

### CONDITIONAL USE APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                     | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 635      | Carnegie-Mellon University for construction of a three (3) level parking garage, two (2) dormitories and improvements to the existing softball field on Forbes Avenue, Margaret Morrison Street, 14th Ward                                                                                  | 674, 759   |
| 1042     | Marian Plaza, Inc. for construction of a six-story structure containing 51 dwelling units for the elderly located at Frankstown Avenue and Madonna Street, 13th Ward                                                                                                                        | 1005, 1085 |
| 278      | Mercy Hospital for a nine-story parking garage extension of 259 parking stalls                                                                                                                                                                                                              | 343, 438   |
| 1297     | Pittsburgh Parking Authority for construction of a four (4) level parking garage on Bellefont Street to Telegraph Way parking lot and a two (2) level parking deck on Bellefont Street to Filbert Street parking lots to connected bridges over Bellefont Street and Culloden Way, 7th Ward | 1281       |
| 1603     | Shadyside Health, Education and Welfare for construction of a five and seven story physican's office building and 827-stall parking garage; an eight story west wing and a two-story addition to the east wing, 7th Ward                                                                    | 1571, 1754 |
| 553      | Step-by-Step, Inc. for a Group Residence Facility 94-96 Stratmore Street, 28th Ward                                                                                                                                                                                                         | 603, 684   |
| 1107     | University of Pittsburgh and Presbyterian Hospital for construction of an eight level building with a seven level hospital parking garage and one level sports center on Robinson Street Extension, 5th Ward                                                                                | 1075, 1176 |

### CONTRACTS

| BILL NO. | SUBJECT                                                              | PAGE      |
|----------|----------------------------------------------------------------------|-----------|
| 627      | Accessible Nature Trail/s, construction and rehabilitation           | 673, 776  |
| 937      | Air Bag Systems purchase for the Bureau of EMS                       | 939, 1020 |
| 207      | Appliphase Squeeze Roll Applicator Machine for the Painting Division | 240, 357  |

# CONTRACTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                       | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1090     | Architectural/Engineering Services in connection with the Grant Street/Liberty Avenue design Amending Resolution No. 1156/86                                                                                                                                  | 1072, 1179 |
| 1641     | Arlington Avenue reconstruction, from East Carson Street to Warrington Avenue, Phase I to include Phase II, Arlington Avenue, from McArdle Roadway to Roanoke Street                                                                                          |            |
|          | Amending Resolution No. 1058/87                                                                                                                                                                                                                               | 1602, 1648 |
| 834      | Asbestos abatement program and re-insulating of piping at City-owned facilities                                                                                                                                                                               | 822, 927   |
| 1136     | Automated EMS Billing System purchase                                                                                                                                                                                                                         | 1100, 1228 |
| 511      | Aviary Quarantine Building Construction and various repairs                                                                                                                                                                                                   | 543, 619   |
| 621      | Aviary miscellaneous rehabilitation                                                                                                                                                                                                                           | 672, 774   |
| 931      | Aviary miscellaneous rehabilitation Amending Resolution No. 370/88                                                                                                                                                                                            | 938, 1021  |
| 626      | Ballfield rehabilitation, including, but not limited to Frick Park and Martin Luther King                                                                                                                                                                     | 673, 776   |
| 622      | Ballfields lighting and electrical renovations, including, but not limited to Arlington Field                                                                                                                                                                 | 673, 774   |
| 1530     | Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field renovations to cover additional allocation will be used to cover costs of purchase and installation of artificial turf at Dean Field Amending Bill No. 1379/88 (SPONSORED BY MR. FERLO) | 1493, 1557 |
| 1012     | Burgwin Playground reconstruction                                                                                                                                                                                                                             | 1001, 1086 |
| 325      | City Streets and Park Road resurfacing                                                                                                                                                                                                                        | 382, 475   |
| 275      | Compressor, Pavement Breaker, Tampers and Clay Diggers for the Department of General Services                                                                                                                                                                 | 343, 440   |
| 131      | Concrete repairs for the Department of Parks and Recreation                                                                                                                                                                                                   | 197, 252   |
| 1397     | Concrete repairs in CD areas for the Department of Parks and Recreation Amending Resolution No. 956/87                                                                                                                                                        | 1372, 1479 |
| 816      | Concrete slab replacement at Oranmore and Brintell                                                                                                                                                                                                            | 792, 871   |
| 1249     | Concrete slab replacement at Oranmore and Brintell Repealing Resolution No. 443/88                                                                                                                                                                            | 1198, 1260 |
| 327      | Concrete slab replacement at various locations                                                                                                                                                                                                                | 382, 475   |
| 569      | Concrete slab replacement at various locations                                                                                                                                                                                                                | 607, 683   |



## CONTRACTS

| BILL NO. | SUBJECT                                                                                                                                                                                                                       | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1251     | Concrete slab replacement at various locations<br>Amending Resolution No. 97/87                                                                                                                                               | 1199, 1260 |
| 566      | Condemned buildings, demolition and removal                                                                                                                                                                                   | 606, 685   |
| 1560     | Construction in connection with alterations at<br>Special Populations Programs Centers to accomodate<br>the physically handicapped<br>Amending Resolution No. 244/88                                                          | 1521       |
| 44       | Construction of a Parking Lot for Fowler Pool and Park<br>Repealing Resolution No. 126/87                                                                                                                                     | 73, 141    |
| 835      | Consultant/s in connection with asbestos and<br>environmental quality assessment and analysis<br>at various city facilities<br>Amending Resolution Nos. 274/85 and 390/86                                                     | 833, 927   |
| 1286     | Contruction/reconstruction of various retaining<br>structures including Marietta Street, Bellingham<br>Avenue, Crotzer Street, Old Banksville Road,<br>Tunstall Street and Dartmore Street<br>Amending Resolution No. 1053/87 | 1279, 1356 |
| 625      | Court rehabilitation, including, but not limited<br>to Mellon Park                                                                                                                                                            | 673, 776   |
| 1180     | Demolition and removal of condemned buildings                                                                                                                                                                                 | 1139, 1271 |
| 968      | Department of Engineering and Construction, Third<br>Floor remodeling<br>Amending Resolution No. 250/87                                                                                                                       | 962, 1024  |
| 795      | Design and construction of the Main Salt Storage<br>Dome and Satellite Domes<br>Amending Resolution No. 390/85                                                                                                                | 788, 879   |
| 1726     | Design and construction of the Main Salt Storage<br>Dome and Satellite Domes<br>Amending Resolution No. 465/88                                                                                                                | 1659       |
| 1255     | Electrical equipment necessary for street lighting                                                                                                                                                                            | 1199, 1261 |
| 138      | Energy Conservation projects for the Department<br>of General Services                                                                                                                                                        | 198, 315   |
| 158      | Equipment for the Bureau of Fire                                                                                                                                                                                              | 201, 316   |
| 463      | Equipment installation in connection with the<br>City Employee Payroll Checks and Accounts<br>Receivable Tax Statements for the Department<br>of Finance                                                                      | 505, 607   |
| 508      | Fence repairs for the Department of Parks and<br>Recreation                                                                                                                                                                   | 543, 656   |

# **CONTRACTS**

| BILL NO. | SUBJECT                                                                                                                                                                                      | PAGE       |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 531      | Firearms Training System Installation for the<br>Department of Public Safety, Bureau of<br>Administration Training Center<br>Repealing Resolution No. 379/86                                 | 547, 656   |
| 836      | Foam concentrate to be used by the Fire<br>Suppression Division                                                                                                                              | 822, 924   |
| 132      | Fogging system for the Department of Parks<br>and Recreation                                                                                                                                 | 197, 315   |
| 930      | Gardner, Frick Park, McBride Courts and Lincoln<br>Place Playground and Parks rehabilitation<br>Amending Resolution No. 369/88                                                               | 938, 1021  |
| 619      | Grandview Avenue Overlooks repairs                                                                                                                                                           | 672, 773   |
| 624      | Grandview Bandstand rehabilitation                                                                                                                                                           | 673, 776   |
| 1167     | Grant Street Reconstruction, Phase 4, from<br>Fourth Avenue to Fort Pitt Boulevard                                                                                                           | 1137, 1272 |
| 706      | Hillside Slope Machine (1) for the Department<br>of General Services                                                                                                                         | 733, 843   |
| 308      | Housing Authority Playgrounds rehabilitation;<br>including Glen Hazel and Bedford Housing Sites<br>Amending Resolution Nos. 97/84, 376/86 and 151/87                                         | 379, 483   |
| 1674     | Leak detection equipment purchase to be used<br>in the Department of Water                                                                                                                   | 1620, 1647 |
| 704      | Leasing of office space and the necessary services<br>required due to the relocation and housing of the<br>various occupants of the Public Safety Building<br>Amending Resolution No. 932/86 | 733, 842   |
| 828      | Leslie Bathhouse fire damage removal and repairs                                                                                                                                             | 821, 884   |
| 1168     | Lighting at various sites including West<br>Penn Ballfield                                                                                                                                   | 1137, 1272 |
| 740      | Litter Receptacles purchase                                                                                                                                                                  | 739, 833   |
| 632      | Manufacture, supply, install and provide necessary<br>services related to new street signs<br>Amending Resolution No. 1041/87                                                                | 674, 795   |
| 673      | Mechanical Construction for the Department of<br>Public Works Traffic Division Building                                                                                                      | 703, 816   |
| 1175     | Melancthon Street Pedestrian Bridge rehabilitation                                                                                                                                           | 1139, 1273 |
| 1734     | Melancthon Street Pedestrian Bridge rehabilitation                                                                                                                                           | 1661, 1769 |
| 1732     | Melwood Avenue Reconstruction - Phase B<br>(Bloomfield Bridge)                                                                                                                               | 1661, 1769 |
| 1094     | Metal lockers for turnout gear for the Bureau<br>of Fire, Department of Public Safety                                                                                                        | 1073, 1176 |

# CONTRACTS

| BILL NO. | SUBJECT                                                                                                                                         | PAGE         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1525     | Metal lockers for turnout gear for the Bureau of Fire, Department of Public Safety                                                              |              |
|          | Repealing Resolution No. 638/88                                                                                                                 | 1492, 1590   |
| 852      | Micrographic System for the City Clerk's Office (SPONSORED BY MR. WOODS)                                                                        | 825, 925     |
| 357      | Miscellaneous electrical services for the renovation of the Second Avenue substation and other structures within the Department of Public Works |              |
|          | Amending Resolution No. 378/84                                                                                                                  | 435, 475     |
| 1306     | Mobile Seating Unit, purchase of one (1)                                                                                                        | 1283, 1349   |
| 11       | Motorized Fire Equipment for the Department of General Services                                                                                 |              |
|          | Amending Resolution No. 281/87                                                                                                                  | 33, 132, 182 |
| 583      | Mountain Road Extension construction                                                                                                            |              |
|          | Repealing Resolution No. 367/85                                                                                                                 | 632, 721     |
| 1568     | Neighborhood Street Signs supply and installation                                                                                               | 1522, 1584   |
| 1562     | No. 11 EMS/No. 1 Rescue Headquarters renovations                                                                                                |              |
|          | Amending Resolution No. 800/86                                                                                                                  | 1521, 1606   |
| 1563     | No. 15 Fire Station rehabilitation, located at Lemington and Missouri Streets                                                                   | 1521, 1606   |
| 969      | No. 5 Police/No. 8 Fire Station rehabilitation                                                                                                  | 962, 1025    |
| 1728     | No. 5 Police/No. 8 Fire Station rehabilitation                                                                                                  | 962, 1025    |
|          | Amending Resolution No. 532/88                                                                                                                  | 1767         |
| 618      | Noise Transmission Problems corrections at the South Side Market House                                                                          | 672, 773     |
| 251      | Office Equipment for the Department of Personnel and Civil Service Commission                                                                   | 287, 409     |
| 1064     | Office equipment for the Bureau of Building Inspection, Department of Public Safety                                                             | 1036, 1176   |
| 722      | Office equipment for the Department of Personnel and Civil Service Commission                                                                   |              |
|          | Amending Resolution No. 140/88                                                                                                                  | 736, 828     |
| 1176     | Ohio River Boulevard Bridge over Eckert Street rehabilitation                                                                                   |              |
|          | Amending Resolution No. 1057/87                                                                                                                 | 1139, 1273   |
| 1407     | Overbrook Recreation Center, land, design and construction                                                                                      | 1390, 1483   |
| 186      | P.J. McArdle Roadway Sidewalk Rehabilitation                                                                                                    | 237, 360     |
| 792      | P.J. McArdle Roadway Sidewalk Rehabilitation                                                                                                    | 787, 845     |
|          | Amending Resolution No. 112/88                                                                                                                  | 883          |

# **CONTRACTS**

| BILL NO. | SUBJECT                                                                                                                                                                                                | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 831      | Permit Picnic Shelters rehabilitation,<br>including but not limited to the Riverview<br>Activites Buildings                                                                                            | 822, 884   |
| 933      | Phipps Conservatory structural renovation                                                                                                                                                              | 938, 1022  |
| 1396     | Picnic Shelters (furnishing and installation)                                                                                                                                                          | 1372, 1478 |
| 629      | Pittsburgh Aqua Zoo renovations                                                                                                                                                                        | 673, 777   |
| 1558     | Pittsburgh Aqua Zoo renovations<br>Amending Resolution No. 362/88                                                                                                                                      | 1520       |
| 326      | Pittsburgh's Asphalt Plant equipment rental                                                                                                                                                            | 382, 475   |
| 1570     | Pittsburgh's Asphalt Plant equipment rental<br>Amending Resolution No. 176/88                                                                                                                          | 1522, 1584 |
| 1329     | Playground and court renovations including Blair<br>and Rhododendron                                                                                                                                   | 1294, 1377 |
| 620      | Playgrounds and Parks rehabilitaiton, including<br>but not limited to Gardner, Frick Park and<br>Lincoln Place                                                                                         | 672, 774   |
| 817      | Pro-gard Trunk Organizers for the Bureau of Police                                                                                                                                                     | 792, 873   |
| 1565     | Public Safety Building handicapped improvement<br>and accessibility<br>Repealing Resolution No. 551/83                                                                                                 | 1521, 1607 |
| 1092     | Public Safety Facilities (various) renovations                                                                                                                                                         | 1072, 1180 |
| 1564     | Public Safety Facilities rehabilitation at various<br>locations, including but not limited to, No. 38<br>Fire Station, No. 22 Fire Station and No. 6 Fire<br>Station                                   | 1521, 1607 |
| 1268     | Public sidewalk construction at various locations                                                                                                                                                      | 1234, 1268 |
| 358      | Purchase of a 3M Processor Camera for the Survey<br>Division of the Department of Public Works                                                                                                         | 435, 475   |
| 1290     | Purchase traffic complaints and summons books<br>for the Bureau of Police                                                                                                                              | 1280       |
| 61       | Purchase, lease or installation of materials with<br>the regulation and utilization of the City of<br>Pittsburgh's Cable Communications System                                                         | 77, 164    |
| 671      | Rankin Avenue Pedestrian Bridge Demolition                                                                                                                                                             | 703, 815   |
| 341      | Reconstruction of the Department of Public<br>Works, Second Avenue Building<br>Amending Resolution No. 953/86                                                                                          | 433, 522   |
| 444      | Rehabilitation of the Swineburne Street Bridge,<br>providing for a reimbursement agreement with the<br>Commonwealth of Pennsylvania, Department of<br>Transportation<br>Amending Resolution No. 442/87 | 502, 589   |

# CONTRACTS

| BILL NO. | SUBJECT                                                                                                                                                     | PAGE            |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 258      | Renovations and repair of concrete streets through-<br>out the City                                                                                         | 288, 410        |
| 1452     | Renovations and repair of concrete streets through-<br>out the City<br>Amending Resolution No. 141/88                                                       | 1413, 1464      |
| 450      | Renovations of various public buildings                                                                                                                     | 503, 619        |
| 291      | Renovations of walls and related facilities of<br>City Property                                                                                             | 345, 437        |
| 1380     | Renovations to Swimming Pools, including, but not<br>limited to Banksville, St. Clair, Fowler, Northgate<br>and Riverview                                   | 1369, 1482      |
| 1704     | Renovations to Swimming Pools, including, but not<br>limited to Banksville, St. Clair, Fowler, Northgate<br>and Riverview<br>Amending Resolution No. 823/88 | 1643, 1721      |
| 1379     | Renovations to the Bloomfield Pool, Recreation<br>Center, Outdoor Recreation and Dean Field                                                                 | 1369, 1482      |
| 290      | Rental and repair of equipment for the Capital<br>Construction Division                                                                                     | 345, 437        |
| 628      | Repairs and Emergencies, including, but not limited<br>to Brookline Pool and South Side Riverfront Park                                                     | 673, 777        |
| 1300     | Repairs and renovations, Department of General Services<br>Amending Resolution No. 89/88                                                                    | 1282, 1313      |
| 137      | Repairs and renovations, Department of General<br>Services                                                                                                  | 198, 315        |
| 451      | Repairs to Phipps Conservatory Entrance Roof                                                                                                                | 504             |
| 1374     | Replacement of Roofing System at various city<br>facilities<br>Amending Resolution No. 350/88                                                               | 1368, 1406      |
| 1254     | Resurfacing of various city streets and park roads<br>Amending Resolution No. 175/88                                                                        | 1199, 1261      |
| 914      | Resurfacing renovations for the Department of Parks<br>and Recreation                                                                                       | 903, 989        |
| 915      | Resurfacing renovations for the Department of Parks<br>and Recreation                                                                                       | 903, 989        |
| 1733     | Retaining Wall No. 12 (Bloomfield Bridge) - repairs                                                                                                         | 1661, 1769      |
| 1524     | Roof (various) rehabilitation, including but not<br>limited to No. 3 Fire Station and maintenance<br>repairs to the City-County Building                    | 1491, 1591      |
| 791      | Roof rehabilitation and Masonry painting of No. 5<br>Police/No. 8 Fire Station<br>Amending Resolution No. 557/87                                            | 787, 844<br>883 |

# **CONTRACTS**

| BILL NO. | SUBJECT                                                                                                                                    | PAGE               |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 971      | Roofing Systems replacement at various city facilities                                                                                     | 962, 1025          |
|          | Amending Resolution No. 350/87                                                                                                             | 1061               |
| 1469     | Senior Citizens Centers and Recreation Centers renovations, including but not limited to vandalism damage at Cowley Goettman               | 1451, 1557         |
| 1020     | Series Lights conversion to Multiple Lights                                                                                                | 1002, 1081         |
| 134      | Sidewalk Construction and Reconstruction in the Spring Garden Neighborhood                                                                 |                    |
|          | Amending Resolution No. 414/86                                                                                                             | 197, 317           |
| 513      | Sidewalk Ramps for the Handicapped at various locations                                                                                    | 544, 658           |
| 309      | Sidewalk repair and other work in Housing Authority Communities (Bedford Dwelling)                                                         | 380, 483           |
| 932      | Sidewalk repairs, including Spring Garden Playground                                                                                       | 938, 1022          |
| 830      | South Side Riverfront Park repairing and restoring damages from the Asland Oil Spill                                                       | 821, 884           |
| 584      | Stadium Traffic Improvements                                                                                                               | 632, 721           |
| 166      | Steel guidrails installation or reinstallation                                                                                             | 202, 299           |
| 1252     | Street Lighting Transfers at various locations                                                                                             | 1199, 1261         |
| 1174     | Street Tree Planting in various neighborhoods and Business Districts                                                                       | 1138, 1273         |
| 369      | Supplies, materials and/or services for the Department of Parks and Recreation                                                             | 460, 573           |
| 551      | Thaddeus Stevens School and Townsend Playground renovations and providing for a reimbursement agreement with the Board of Public Education | 602, 690           |
| 324      | Three Rivers Stadium Parking Lot Improvements                                                                                              | 382, 437           |
| 1451     | Three Rivers Stadium Parking Lot Improvements                                                                                              |                    |
|          | Amending Resolution No. 154/88                                                                                                             | 1413, 1464         |
| 568      | Traffic Signal Installation at various locations                                                                                           | 606, 683           |
| 669      | Tropical Forest Complex Exhibitory Construction at the Pittsburgh Zoo                                                                      | 703, 814           |
| 1771     | Troy Hill Fire Station Renovations (SPONSORED BY MR. WOODS)                                                                                | 1667, 1721         |
| 1013     | Tustin Tot Lot reconstruction                                                                                                              | 1001, 1086         |
| 1304     | Urban Consortium Energy Task Force in (UCETF) in connection with the Alternative Vehicle Fuel Usage Project                                | 1283, 1349         |
| 707      | Wheel Balance-Alignment Equipment, etc. for the Department of General Services                                                             | 734, 843           |
| 1490     | Work Station, etc. installation for the Department of General Services                                                                     | 1454, 1545<br>1590 |

### CONTRACTS

| BILL NO. | SUBJECT                                                                                | PAGE       |
|----------|----------------------------------------------------------------------------------------|------------|
| 1495     | Work Stations and various office equipment<br>installation for the Controller's Office | 1455, 1542 |
| 617      | Zoo Rehabilitation                                                                     | 672, 773   |

### DEFENSE COUNSEL

| BILL NO. | SUBJECT                                                                                                                                                                                                                      | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1767     | Hiring of counsel to defend the Petition for<br>Attorney's Fees filed against the City of<br>Pittsburgh in the case of the Metropolitan<br>Pittsburgh Crusade for Voters, et. al.,<br>verses the City of Pittsburgh, et. al. | 1666, 1744 |

### DEPARTMENT OF ENVIRONMENTAL RESOURCES

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                              | PAGE    |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 47       | Requesting the DER to do an Inventory of Upstream<br>Contamination Threats to Drinking Water Supplies and<br>an Emergency Plan of Action and requesting the City's<br>Water Department to do a test of water quality near the<br>Harrison Township lindane flow and the Bruin Lagoon-<br>Bear Creek Site<br>(SPONSORED BY MR. FERLO) | 74, 137 |

### DEPOSITORIES

| BILL NO. | SUBJECT                                                                                                                                                                           | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 52       | Banks and Lending Institutions to act as Depositories in<br>the year 1988 in accordance with the Pittsburgh Code                                                                  | 76, 163    |
| 1715     | Designating Banks and Lending Institutions to act as<br>Depositories for the year 1989, in accordance with<br>the Pittsburgh Code, Title Two-Fiscal, Article III,<br>Depositories | 1645, 1696 |

# ENCROACHMENTS

| BILL NO. | SUBJECT                                                                                                                                         | PAGE            |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 1019     | 900 Fifth Avenue Building for an electrical vault in a portion of the sidewalk of Fifth Avenue, 1st Ward                                        | 1002, 1080      |
| 976      | Beechview Manor, Inc. for a pedestrian bridge over the portion of right-of-way, Crosby Avenue, 19th Ward                                        | 963, 1049       |
| 208      | Berberich, Robert F. and Szuch, Kathleen M. for a shed and sideyard, Ray Avenue, 19th Ward                                                      | 241, 357        |
| 1663     | Bordt, Esther and Rhall, Thomas for off-street parking area over a portion of the unopened right-of-way of Oakdale Street, 27th Ward            | 1618, 1672      |
| 1453     | Boron Oil Company for a Mini-Mart over the 60-inch Storm Sewer Right-of-Way at 2230 Saw Mill Run Boulevard, 32nd Ward                           | 1413, 1500      |
| 734      | Carnegie Mellon University for building construction in the vicinity of Forbes Avenue, Margaret Morrison Street, 4th Ward                       | 739, 869<br>914 |
| 1649     | Columbia Gas for construction of ten inch or smaller pipeline at Verner Avenue, 27th Ward                                                       | 1603, 1646      |
| 6        | Duquense Light Company for two (2) poles, property located in the 26th Ward, in connection with electrical service to Riverview Park            | 32, 139         |
| 736      | Easter Seal Society for a grade change and canopy over a portion of the sidewalk and roadway of Barkers Place and Fort Pitt Boulevard, 1st Ward | 739, 832        |
| 1708     | Equitable Gas Company for a handicap ramp on a portion of the sidewalk of th Boulevard of the Allies, 1st Ward                                  | 1644, 1698      |
| 738      | Feth, Edward for a parking area on a portion of the right-of-way of Marcus Way, property located at 1721 Marcus Way, 17th Ward                  | 739, 832        |
| 84       | Fevig, Samuel for off-street parking on right-of-way of Cherryland Street 26th Ward                                                             | 111, 215        |
| 85       | Forbes and Allies Center, 3109 Forbes Avenue for a parking area, Maurice Street, 4th Ward                                                       | 111, 215        |
| 1742     | Forbes and Allies Center, 3109 Forbes Avenue, for a parking area, Maurice Street, 4th Ward Amending Section 1 of Resolution No. 56/88           | 1662, 1750      |
| 815      | Giant Eagle, Inc. for a bus shelter on a portion of the sidewalk on Penn Avenue, 7th Ward                                                       | 792, 871        |
| 1017     | Glenn, R.W. Mike, 51 Woodland Road, for an electrical vault on a portion of the sidewalk of 1111 Penn Avenue, 2nd Ward                          | 1002, 1080      |



# ENCROACHMENTS

| BILL NO. | SUBJECT                                                                                                                                                | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1347     | Gold Auto Parts, for construction of a building over a City sewer, Baldwin Roads, No. 271 and 273, 31st Ward                                           | 1321, 1400 |
| 84       | Good, Robert for off-street parking on right-of-way of Cherryland Street, 26th Ward                                                                    | 111, 215   |
| 59       | Goslin, Edward D. for a parking area on Dasher Street, 22nd Ward                                                                                       | 77, 181    |
| 1744     | Goslin, Edward D. for a guard rail and fire escape landing on a portion of the sidewalk of Dasher Street, 22nd Ward                                    | 1663, 1750 |
| 943      | Heidkamp, Thomas and Bonnie for a driveway, over a portion of the right-a-way, Ravilla Avenue, 29th Ward                                               | 940, 1014  |
| 1746     | Herron, William and Frances, for a rear yard extension on a portion of the right-of-ay of G-Way, 31st Ward                                             | 1663, 1751 |
| 735      | Hill, Dr. Shirley Y. for fence construction on a portion of the right-of-way of Forbes Avenue, property located at 1739 Beechwood Boulevard, 14th Ward | 739, 832   |
| 737      | Ish, Robert for an air-conditioning system over a portion of the sidewalk at 1318 Federal Street, property located at 3404 Allendale Street, 25th Ward | 739, 832   |
| 1743     | Katich, Carol for off-street parking area on a potion of the right of way of Clarence Way, 7th Ward                                                    | 1662, 1750 |
| 942      | Kohlman, Carl, 5851 Ellsworth Avenue, for an outdoor cafe on a portion of the sidewalk of College Avenue, 7th Ward                                     | 940, 1014  |
| 1016     | Kress, Michael, 909 Smithton Avenue, for four 10-foot planters on a portion of the sidewalk, 27th Ward                                                 | 1002, 1080 |
| 1745     | L.C.C. Graphics, Inc. for a canopy over a portion of the sidewalk of 2900 Smallman Street, 2nd Ward                                                    | 1663, 1751 |
| 1097     | Laborers District Council, 1101 Fifth Avenue, for a loading dock on a portion of the right-of-way of Congress Street, 3rd Ward                         | 1073, 1159 |
| 1098     | Latimer Association, 621 North Avenue East, for a planter area on a portion of the sidewalk of Tripoli Street and North Avenue East, 23rd Ward         | 1073, 1159 |

### ENCROACHMENTS

| BILL NO. | SUBJECT                                                                                                                               | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------|------------|
| 83       | Lebovitz, Jerry for an elevator and shaft at<br>109/111 Market Street, 1st Ward                                                       | 111, 215   |
| 84       | Merlino, Charles for off-street parking on right-<br>of-way of Cherryland Street, 26th Ward                                           | 111, 215   |
| 1710     | Pittsburgh Home Savings and Loan Association for<br>sidewalk and hatch doors on a portion of the<br>sidewalk of Wood Street, 1st Ward | 1644, 1698 |
| 1018     | Rayner, Mark, Cafe Allegro, an area of benches<br>on a portion of the sidewalks of Diamond Square<br>and South 12th Street, 17th Ward | 1002, 1080 |
| 1709     | Roberto, James V. for a driveway and sideyard on<br>a portion of the right of way of an unnamed<br>way, 1st Ward                      | 1644, 1698 |
| 84       | Safrom, Robert for off-street parking on right-<br>of-way of Cherryland Street, 26th Ward                                             | 111, 215   |
| 1600     | Schepple, Mary for a portion of her porch over the<br>right-of-way of St. Patrick Street, 17th Ward                                   | 1571, 1628 |
| 1747     | Stasenko, James N. for a deck over a portion of<br>the sidewalk of Northview Street, 16th Ward                                        | 1663, 1751 |

### ENTERPRISE ZONE APPLICATION

| BILL NO. | SUBJECT                                                                                                                                                                                           | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1429     | Submission of an Enterprise Zone application with<br>the Commonwealth of Pennsylvania, Department of<br>Community Affairs for financial assistance for<br>1988<br>Amending Resolution No. 1011/87 | 1394, 1474 |

### ENVIRONMENTAL SERVICES

| BILL NO. | SUBJECT                                                                                                                                                                                                 | PAGE     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 906      | Transfer of union dues of employees of Environmental<br>Services which were held in escrow in Blue Cross/<br>Blue Shield and providing for the payment of the<br>union dues including interest earnings | 902, 944 |

### EQUIPMENT LEASING AUTHORITY

| BILL NO. | SUBJECT                                                                                                                                                                                    | PAGE             |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 869      | Formation of a municipal authority to be known as the<br>City of Pittsburgh Equipment Leasing Authority<br>Amending Resolution No. 652/80<br>(SPONSORED BY MR. FERLO)                      | 860, 977         |
| 904      | Lease Rental Debt in the amount of \$7,900,000.00 by<br>entering into an Equipment Lease with the City of<br>Pittsburgh Equipment Leasing Authority at annual<br>rentals in varying amount | 900, 945<br>1061 |

### FEEES

#### AVIARY

| BILL NO. | SUBJECT                                                                                                                                                     | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1693     | Authorizing the Director of the Department of Parks<br>and Recreation to increase certain admission fees<br>at Pittsburgh Aviary, effective January 1, 1989 | 1622, 1757 |

#### PHIPPS CONSERVATORY

| BILL NO. | SUBJECT                                                                                                                                                       | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1692     | Authorizing the Director of the Department of Parks<br>and Recreation to increase certain admission fees<br>at Phipps Conservatory, effective January 1, 1989 | 1622, 1757 |

#### SWIMMING POOLS

| BILL NO. | SUBJECT                                                                                                                                                                                                                         | PAGE     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 101      | Establishing a schedule of fees and charges in connection<br>with the Department of Parks and Recreation's Swimming<br>Pools Program," approved December 4, 1987<br>Repealing Resolution No. 987/87<br>(SPONSORED BY MR. FERLO) | 158, 252 |

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**FEEES**  
**SWIMMING POOLS**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                     | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1076     | Establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, <u>by providing for scheduled fees for 1988 year</u> Amending Resolution No. 987/87 (SPONSORED BY MR. WOODS) | 1038, 1220 |

**ZOO**

| BILL NO. | SUBJECT                                                                                                                                                           | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1691     | Authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1989 1622, 1757 |      |

**FIFTH AMENDATORY AGREEMENT**

| BILL NO. | SUBJECT                                                                                    | PAGE       |
|----------|--------------------------------------------------------------------------------------------|------------|
| 1206     | URA for certain work in connection with the 1976 Community Development Block Grant Program | 1143, 1265 |

**FIRE TRUCK CONSULTATION**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                     | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1011     | Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions for training or modifications to the trucks | 989  |

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### GENERAL OBLIGATION BONDS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                  | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1333     | Authorizing professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligations Bonds at an annual cost of \$115,000.00, by extending the period of services from (five years from September 1, 1983 through August 31, 1988) to (one (1) year from September 1, 1988 through December 31, 1989)<br>Amending Resolution No. 895/86 | 1294, 1333 |

### GRANT AGREEMENT

| BILL NO. | SUBJECT                                                                                                                                                              | PAGE     |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 405      | Oakland Planning and Development Corporation for curb and sidewalk improvements to facilitate the residential development at Dawson and Swineburne Streets, 4th Ward | 466, 570 |

### GRANT APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                          | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 191      | Decreasing line item (CP 80-10 Stanfield) and to increase (CC 81-01 - City Council, Unspecified Local Options)<br>Amending Section 11 of 1420/80 | 238, 358   |
| 1360     | Deferral of employment discrimination charges, in connection with the EEOC-706 Project                                                           | 1322, 1399 |
| 1361     | Renewal of fair employment practices in connection with HUD/FHP Project                                                                          | 1322, 1399 |
| 19       | Commonwealth of Pennsylvania for the Job Training Partnership Act<br>Amending Resolution No. 846/87                                              | 35, 126    |

## GRANT APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                             | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 950      | Pennsylvania, Department of Commerce for site improvements related to the expanded Buhl Center for Science and Technology                                                           | 941, 1016  |
| 407      | Pennsylvania, Department of Community Affairs for \$75,000.00 for the Low Income Housing Demonstration Program (Corpus Christi School Conversion Lincoln-Lemington)                 | 466, 571   |
| 408      | Pennsylvania, Department of Community Affairs for \$250,000.00 for the Low Income Housing Demonstration Program (Corpus Christi School Conversion Lincoln-Lemington)                | 466, 571   |
| 978      | Pennsylvania, Department of Community Affairs for an Emergency Shelter Grant Program in connection with the Womanspace East Project located at 2000-2002 Fifth Avenue               | 964, 1016  |
| 710      | Pennsylvania, Department of Community Affairs for the Enterprise Zone Municipal Tax Exemption Program for East Liberty and North Side Enterprise Zone                               | 734, 811   |
| 682      | Pennsylvania, Department of Community Affairs for Financial Assistance in the amount of \$1,000,000.00 for the Neighborhood Housing Program Amending Resolution No. 549/87          | 705, 810   |
| 683      | Pennsylvania, Department of Community Affairs for Financial Assistance in the amount of \$450,000.00 for the 1987 Urban Homesteading Program Program Amending Resolution No. 542/87 | 705, 810   |
| 1144     | Pennsylvania, Department of Community Affairs for the improvement associated with the Stadium Renewal Project (\$2,500,000.00)                                                      | 1101, 1217 |
| 892      | Pennsylvania, Department of Community Affairs with URA for financial assistance for the Neighborhood Housing Program                                                                | 899, 971   |
| 893      | Pennsylvania, Department of Community Affairs with URA for financial assistance for the rental Housing Development and Improvement Program                                          | 899, 971   |
| 894      | Pennsylvania, Department of Community Affairs with URA for financial assistance for the Pittsburgh Construction Loan Fund                                                           | 899, 971   |
| 895      | Pennsylvania, Department of Community Affairs with URA for financial assistance for the Vacant Housing Recovery Program                                                             | 899, 972   |

# GRANT APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                             | PAGE        |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 896      | Pennsylvania, Department of Community Affairs with URA for financial assistance for Federal Street Improvements                                                                                                                                                                                                     | 899, 972    |
| 897      | Pennsylvania, Department of Community Affairs with URA for financial assistance for the Streetface Program                                                                                                                                                                                                          | 899, 972    |
| 798      | Pennsylvania, Department of Community Affairs with URA for the Low Income Housing Demonstration Program (rehabilitation of seven (7) units in the Garfield Neighborhood)                                                                                                                                            | 789, 872    |
| 667      | Pennsylvania, Department of Education for the Special Summer Food Service Program Project                                                                                                                                                                                                                           | 702, 812    |
| 1102     | U.S. Department of Housing for a grant in connection with the 1988 Community Development Block Grant Program, "so as to decrease a line item (UR-88-18) "Neighborhood Economic Development Investment Fund" and create a line item "Pittsburgh Partnership Employment Program No. 3"                                |             |
|          | Amending Resolution No. 448/88                                                                                                                                                                                                                                                                                      | 1074, 1135. |
| 1198     | U.S. Department of Housing for the 1979 Community Development Block Grant Program by changing the title of a line item in the Department of Housing (from "Neighborhood Development Office" to the "Neighborhood District Office - Hllp Subsidized Loans")                                                          |             |
|          | Amending Section 11 of Resolution No. 1549/78                                                                                                                                                                                                                                                                       | 1142, 1264  |
| 1189     | U.S. Department of Housing for the 1980 Community Development Block Grant Program by changing the title of a line item in the Department of Housing                                                                                                                                                                 |             |
|          | Amending Section 11 of Resolution No. 1228/79                                                                                                                                                                                                                                                                       | 1141, 1262  |
| 1191     | U.S. Department of Housing for the 1981 Community Development Block Grant Program by changing the title of a line item in the Department of Housing                                                                                                                                                                 |             |
|          | Amending Section 11 of Resolution No. 1420/80                                                                                                                                                                                                                                                                       | 1141, 1263  |
| 1003     | U.S. Department of Housing, Community Development Statement for a grant in connection with the 1988 Community Development Block Grant Program to decrease line item (CC-88-10) "City Council Hunger Services Network" and increase line item (CC-88-01) City Council Pittsburgh Community Services (Hunger Program) |             |
|          | Amending Resolution No. 448/88                                                                                                                                                                                                                                                                                      | 967, 1018   |

#### GRANT APPLICATIONS

| BILL NO. | SUBJECT                                                                                                                                                                          | PAGE       |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 797      | U.S. Department of Housing and Urban Development for Final Entitlement Statement by the City of Pittsburgh in connection with the 1988 Community Development Block Grant Program | 789, 872   |
| 678      | U.S., Department of Housing and Urban Development for Rental Rehabilitation Program for the fiscal year of 1988 and designating URA to implement the program                     | 704, 760   |
| 523      | U.S., Department of Housing and Urban Development for the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grant Program                                  | 545, 655   |
| 1304     | Urban Consortium Energy Task Force (UCETF) for the Alternative Vehicle Fuel Usage Project                                                                                        | 1283, 1349 |

#### HISTORIC SITES

| BILL NO. | SUBJECT                                                                                                                                                                                                     | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 413      | South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. POLLOCK)                                                | 467, 510 |
| 586      | South Side Pittsburgh Works, LTV Steel Corporation to be a Historic Site under Section 513 of Chapter 1007 of the Pittsburgh Code Repealing Resolution No. 185/88 (SPONSORED BY MR. FERLO)                  | 632, 748 |
| 796      | Nominating Buildings 2, 3, 4, and 5 at the South Side Pittsburgh Works, LTV Steel Corporation, to be a Historic Structure under Section 513 of Chapter 1007 of the Pittsburgh Code (SPONSORED BY MR. LYONS) | 788, 840 |



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#### HOUSING AUTHORITY

| BILL NO. | SUBJECT                                                                                                                                                                                              | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 99       | Directing the City Controller to conduct a<br>performance audit of the Housing Authority<br>(SPONSORED BY MR. FERLO)                                                                                 | 158, 243   |
| 1331     | Cooperation Agreement with the Housing Authority<br>for the administration and implementation of the<br>"Rehabilitation and Modernization of Housing for<br>Low and Moderate Income Persons" Program | 1294, 1374 |

#### HUNGER TRUST FUND

##### EARNED INCOME TAX RETURN FORM

| BILL NO. | SUBJECT                                                                                                                                                                                                  | PAGE             |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 454      | Amending the Pittsburgh Form 40, Earned Income Tax<br>Return Form, to include a "check off" box to<br>allow a donation to the Hunger Trust Fund of<br>the City of Pittsburgh<br>(SPONSORED BY MR. FERLO) | 504, 913<br>1397 |

##### PAYROLL DEDUCTION

|     |                                                                                                                                                                                    |     |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 455 | Provide the City of Pittsburgh Employees the<br>opportunity to make voluntary payroll deductions<br>to the Hunger Trust Fund of the City of Pittsburgh<br>(SPONSORED BY MR. FERLO) | 504 |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

#### IMPREST FUND

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                         | PAGE      |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 674      | Authorizing the Mayor to issue and the City Controller<br>to countersign warrants for the purpose of establishing<br>an Imprest Fund for investigation expenses for the<br>Bureau of Police, Department of Public Safety<br>Amending Ordinance No. 318/68 and Resolution No. 300/84<br>(SPONSORED BY MR. FERLO) | 703, 1397 |

### IMPREST FUND

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                    | PAGE     |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 305      | Establishment of the Department of Parks and Recreation Regional Swimming Pool Imprest Fund for the purposes of making changes at the regional swimming pools                                                                                                                                                                                                                                              | 379, 482 |
| 302      | Warrant in favor of Louise R. Brown, Director, Department of Parks and Recreation, in the amount of \$300,000.00 for the purpose of increasing the imprest fund at the Conservatory-Aviary. The money to be used for the purpose of collect air freight charges for the shipments and for the purpose of making change at the concession stand and admission ticket booth<br>Amending Ordinance No. 116/71 | 378, 471 |

### LEASE

| BILL NO. | SUBJECT                                                                                                                                                        | PAGE                     |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1647     | Calvary Communication, Inc., William A. Yocum, President, of a radio tower and equipment, to enhance radio coverage for the City's Radio System                | 1603, 1675               |
| 1337     | Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center                                    | 1295, 1353<br>1375, 1480 |
| 148      | Tri-River Marine, Inc., wharf frontage on the Ohio River for a term of five (5) yard at the rate of \$845.00 per month, including certain terms and conditions | 199, 295<br>388          |

### LEASE - LICENSE

| BILL NO. | SUBJECT                                                                                                                                                                 | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 787      | Bell Telephone Company of Pennsylvania to allow installation of communications equipment, along and across a part of property known as the Wabash Playground, 20th Ward | 787, 878 |

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### LEASE - LICENSE

| BILL NO. | SUBJECT                                                                                                                                                                                                                     | PAGE     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 133      | Community Recreation Center located at 200 Tabor Street at a yearly rental not to exceed \$8,400.00                                                                                                                         | 197, 316 |
| 685      | Duquesne Light Company for installation of one pole and one anchor in connection with providing electrical service to Howard Pump Station                                                                                   | 705, 811 |
| 230      | McKinley Park Recreation Center, West Penn Recreation Center, The Car Barn, ELDER-ADO, Inc. CYA/Stephen Foster, HCGH Council, Inc. et. al for a nominal fee of \$1.00 per year in conjunction with Senior Citizens Programs | 283, 419 |

### LEGAL ADVISOR

| BILL NO. | SUBJECT                                                                                                     | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------|------|
| 220      | Members of Pittsburgh City Council authorize the hiring of a consultant to serve as Council's Legal Advisor | 265  |

### MELLON BANK

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                  | PAGE       |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1333     | Authorizing professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligations Bonds at an annual cost of \$115,000.00, by extending the period of services from (five years from September 1, 1983 through August 31, 1988) to (one (1) year from September 1, 1988 through December 31, 1989)<br>Amending Resolution No. 895/86 | 1294, 1333 |

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### MUNICIPAL PENSION PLAN

| BILL NO. | SUBJECT                                                                                                                                                     | PAGE       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1459     | To elect, as provided by the "Municipal Pension Plan Funding Standard and Recovery Act," a choice of Recovery Programs for the City's various pension plans | 1414, 1462 |

### PARKING

| BILL NO. | SUBJECT                                                   | PAGE      |
|----------|-----------------------------------------------------------|-----------|
| 941      | Off-Street Parking Area<br>Amending Resolution No. 530/87 | 940, 1013 |

### PARKS AND RECREATION

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                    | PAGE     |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 302      | Warrant in favor of Louise R. Brown, Director, Department of Parks and Recreation, in the amount of \$300,000.00 for the purpose of increasing the imprest fund at the Conservatory-Aviary. The money to be used for the purpose of collect air freight charges for the shipments and for the purpose of making change at the concession stand and admission ticket booth<br>Amending Ordinance No. 116/71 | 378, 471 |

### PETITIONS

#### PUBLIC HEARINGS

| BILL NO. | SUBJECT                                                                                                                              | PAGE |
|----------|--------------------------------------------------------------------------------------------------------------------------------------|------|
| 63       | Lawrenceville Residents requesting a hearing on the Proposal of West Penn Hospital to install a 772 car parking lot in Lawrenceville | 77   |

PETITIONS

PUBLIC HEARINGS

| BILL NO. | SUBJECT                                                                                                                                                                                                                    | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 606      | Pittsburgh Residents requesting a hearing on the change in traffic patterns on East Ohio Street, North Side, City of Pittsburgh<br>(Invalid with Section 320)                                                              | 636  |
| 1583     | Pittsburgh Residents requesting a hearing on the concering the leasing of Schenley Park Golf Course                                                                                                                        | 1525 |
| 747      | Pittsburgh Residents requesting a hearing on the concerning Councilman Ferlo's legislation which would create an Auto Theft Trust Fund                                                                                     | 741  |
| 1695     | Pittsburgh Residents requesting a hearing on the concerning the 1989 budgeted positions in the Department of Public Safety, Bureau of Fire                                                                                 | 1623 |
| 1325     | Pittsburgh Residents requesting a hearing on the concerning the Conditional Use Application by the Public Parking Authority to construct a parking garage and parking decks in the vicinity of Bellefonte Street, 7th Ward | 1286 |
| 361      | Pittsburgh Residents requesting a hearing on the concerning the Melanchton Street Footbridge                                                                                                                               | 436  |
| 1324     | Pittsburgh Residents requesting a hearing on the concerning the proposed legislation for a homosexual rights resolution                                                                                                    | 1286 |
| 1504     | Pittsburgh Residents requesting a hearing on the Council Bill No. 1454, concerning the "Pre-Bid Specifications"                                                                                                            | 1456 |
| 1465     | Pittsburgh Residents requesting a hearing on the cutbacks in the Department of Environmental Services                                                                                                                      | 1415 |
| 260      | Pittsburgh Residents requesting a hearing on the discuss the unfair property tax assessment increase levied by the Board of Property Assessment                                                                            | 289  |
| 293      | Pittsburgh Residents requesting a hearing on the discussion of February 14, 1988 raid at the Traveler's Social Club (6525 Hamilton Avenue)                                                                                 | 346  |
| 1582     | Pittsburgh Residents requesting a hearing on the discussion of Section 8 Housing and other City related problems in the Sheraden area                                                                                      | 1525 |

PETITIONS

PUBLIC HEARINGS

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                       | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 294      | Pittsburgh Residents requesting a hearing on the discussion of extreme negligence the Pittsburgh School Board has shown parents by refusing to provide adult supervision on school buses; and requesting the hearing be televised                                                                                             | 346  |
| 1505     | Pittsburgh Residents requesting a hearing on the discussion of prompt payment of performance fees to entertainers and entertainment groups for performances at various festivals, concerts                                                                                                                                    | 1457 |
| 168      | Pittsburgh Residents requesting a hearing on the discussion of the increase of non-union contractors working on publicly funded and supported construction projects                                                                                                                                                           | 202  |
| 1550     | Pittsburgh Residents requesting a hearing on the discussion of the lack of affordable, decent housing for the low and moderate income people, and the need for new local, state and federal and national spending priorities to address the issue                                                                             | 1496 |
| 819      | Pittsburgh Residents requesting a hearing on the discussion on the Brookside Project, a turnkey housing development proposed for Brookside Avenue                                                                                                                                                                             | 793  |
| 748      | Pittsburgh Residents requesting a hearing on the discussion on the amendment to the Pittsburgh Code, Title 4 Section 413.02, Paragraph B by adding the following, "The Department of Public Works upon written request of the affected property owners shall authorize the initial installation of dust-free asphalt surface" | 741  |
| 1260     | Pittsburgh Residents requesting a hearing on the expressing opposition to the expansion of the residency permit parking area around the Carnegie-Mellon Campus                                                                                                                                                                | 1200 |
| 605      | Pittsburgh Residents requesting a hearing on the opposition to the closing of the Connélley Skill Learning Center                                                                                                                                                                                                             | 636  |
| 62       | Pittsburgh Residents requesting a hearing on the proposed construction of the United States Post Office located at Allegheny and Pennsylvania Avenue                                                                                                                                                                          | 77   |

**PETITIONS**

**PUBLIC HEARINGS**

| BILL NO. | SUBJECT                                                                                                                                                                       | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 746      | Pittsburgh Residents requesting a hearing on the reference to repealing Resolution No. 185, Nominating the South Side Pittsburgh Works, LTV Steel Corp. to be a Historic Site | 740  |
| 1464     | Pittsburgh Residents requesting a hearing on the renaming of English Lane Field in Frick Park to Stanley Lederman Field                                                       | 1415 |
| 956      | Pittsburgh Residents requesting a hearing on the Status of the City's Summer Youth Program and the proposal of the Pittsburgh Youth Movement for Jobs                         | 942  |
| 362      | Pittsburgh Residents of Wilkinsburg Manor, 13th Ward requesting a hearing on the discussion of the problem in their area concerning traffic fatalities                        | 436  |

**PITTSBURGH CRIME STOPPERS**

| BILL NO. | SUBJECT                                                                                                               | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------|------------|
| 1491     | Authorizing the participation by the City of Pittsburgh in Pittsburgh Crime Stoppers, Inc. (SPONSORED BY MR. POLLOCK) | 1455, 1551 |

**PORT AUTHORITY OF ALLEGHENY COUNTY**

| BILL NO. | SUBJECT                                                                                                                                                                            | PAGE |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 676      | Repealing the Contra-Flow Bus Lane approved by City Council allowing the Port Authority to route buses eastbound on Fifth Avenue from Craft to Bellefield (SPONSORED BY MR. FERLO) | 704  |

**PORT AUTHORITY OF ALLEGHENY COUNTY**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                                           | <b>PAGE</b> |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 675             | Establishing a Port Authority Bus Safety Zone,<br>eastbound on Fifth Avenue in the Contra-Flow bus<br>lane where no Port Authority or emergency vehicle<br>shall travel in this designated zone at speed<br>greater than 15 miles per hour<br>(SPONSORED BY MR. FERLO)                                                   | 704         |
| 596             | Requiring Port Authority to install crash attenuators<br>on all safety islands located on public street<br>for the purpose of boarding and discharging<br>passengers<br>(SPONSORED BY MR. WAGNER)                                                                                                                        | 634         |
| 345             | Greater Pittsburgh Convention and Visitors Bureau, Inc.<br>and the David Lawrence Convention Center, and the<br>Commission on Presidential Debates, to enable parties<br>to produce and hold a debate in Pittsburgh during<br>the 1988 general election campaign between<br>Presidential or Vice-Presidential candidates | 433, 474    |

**PROPERTY**

**ACCEPTANCE**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                  | <b>PAGE</b> |
|-----------------|-------------------------------------------------------------------------------------------------|-------------|
| 1072            | Block 34 D, Lot 20, 18th Ward (exchange)                                                        | 1038, 1106  |
| 1662            | Grading, paving, curbing and sewers on certain<br>street on the Broadhead Manor Plan, 28th Ward | 1618, 1672  |

**ACT NO. 171 OF 1984**

| <b>BILL NO.</b> | <b>SUBJECT</b>      | <b>PAGE</b> |
|-----------------|---------------------|-------------|
| 25              | Act No. 171 of 1984 | 36, 131     |
| 55              | Act No. 171 of 1984 | 76, 163     |
| 56              | Act No. 171 of 1984 | 76, 164     |
| 153             | Act No. 171 of 1984 | 200, 296    |
| 320             | Act No. 171 of 1984 | 381, 473    |



PROPERTY

ACT NO. 171 OF 1984

| BILL NO. | SUBJECT                       | PAGE             |
|----------|-------------------------------|------------------|
| 321      | Act No. 171 of 1984           | 382, 473         |
| 351      | Act No. 171 of 1984           | 434, 509         |
| 528      | Act No. 171 of 1984           | 546, 654         |
| 686      | Act No. 171 of 1984           | 706, 794         |
| 847      | Act No. 171 of 1984           | 824, 909         |
| 1049     | Act No. 171 of 1984           | 1006, 1080       |
| 1220     | Act No. 171 of 1984           | 1145, 1253       |
| 1312     | Act No. 171 of 1984           | 1284, 1332       |
| 1317     | Act No. 171 of 1984           | 1285, 1333       |
| 1318     | Act No. 171 of 1984           | 1285, 1333       |
| 1363     | Act No. 171 of 1984           | 1323, 1400       |
| 1390     | Act No. 171 of 1984           | 1371, 1461       |
| 1435     | Act No. 171 of 1984           | 1396, 1462       |
| 1627     | Act No. 171 of 1984           | 1576, 1626, 1646 |
| 1628     | Act No. 171 of 1984           | 1576, 1626       |
| 1681     | Act No. 171 of 1984           | 1621, 1671       |
| 1790     | Act No. 171 of 1984           | 1691, 1749       |
| 909      | Act No. 171 of 1984           |                  |
|          | Repealing various resolutions | 903, 969         |
| 1314     | Act No. 171 of 1984           |                  |
|          | Repealing various resolutions | 1284, 1332       |
| 1789     | Act No. 171 of 1984           |                  |
|          | Repealing various resolutions | 1691, 1749       |

ACQUISITION

| BILL NO. | SUBJECT                                                                                                                                 | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1537     | CSX Transportation Inc. for approximately 9.80 Acres in the 6th Ward for the sum of \$700,000.00 under the Industrial Land Reserve Fund | 1494, 1585 |
| 1210     | Property owned by Albert M. McDonald, (Block 46J, Lot 264), 26th Ward Residential Land Reserve Fund                                     | 1143, 1266 |
| 1425     | Property owned by Charles S. and Kathleen Jeletic, 1443 Stedman Street, 21st Ward (Resale for use as a Sideyard)                        | 1394, 1473 |

**PROPERTY**  
**ACQUISITION**

| BILL NO. | SUBJECT                                                                                                                           | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------|------------|
| 1428     | Property owned by Community Partners Corporation<br>330 Decatur Street, 21st Ward<br>(Resale for use as a Sideyard)               | 1394, 1474 |
| 1752     | Property owned by Emil Niccoli, located at<br>3601 Swinburn Street, 4th Ward                                                      | 1664, 1753 |
| 1750     | Property owned by James P. and Theresa Pastorius<br>located at 1723 Sidney Street, 17th Ward                                      | 1663       |
| 1426     | Property owned by Joseph L. and Roberta D. Hammill,<br>1 & 3 Roscoe Street, 17th Ward<br>(Resale for Off-Street Parking)          | 1394, 1473 |
| 1424     | Property owned by Joseph P. and Mary A. Devlin,<br>810 Wettach Street, 23rd Ward<br>(Resale for use as a Sideyard)                | 1393, 1473 |
| 1200     | Property owned by Raymond A. Henke, 25th Ward<br>Residential Land Reserve Fund                                                    | 1142, 1264 |
| 1753     | Property owned by Raymond and Jean Ann Gorick,<br>located at 115 43rd Street, 9th Ward                                            | 1664, 1753 |
| 1427     | Property owned by Richard C. and Lee Ann<br>Kwiatkowski, 1921 St. Paul Street, 17th Ward<br>(Resale for use as a Sideyard)        | 1394, 1474 |
| 1316     | Property owned by Richard R. and Betty Ann<br>Ulicny for the development of a tot lot<br>Saline Street, 15th Ward for \$10,000.00 | 1285, 1333 |
| 1348     | Publicly owned property, 1842, 1844 Ridegeway<br>and 841 Ledlie, 3rd Ward, Residential Land<br>Reserve Fund                       | 1321, 1401 |
| 1350     | Publicly owned property, 21st and 25th Ward<br>Residential Land Reserve Fund                                                      | 1321, 1401 |
| 1349     | Publicly owned property, Vinecliff Street,<br>18th Ward, Neighborhood Housing Fund                                                | 1321, 1465 |
| 1751     | Publicly owned property, located at 1310<br>Boyle Street, 22nd Ward                                                               | 1664       |
| 1536     | Publicly owned property in the 6th Ward<br>for the sum of \$1.00 under the Industrial<br>Land Reserve Fund                        | 1494, 1585 |
| 1671     | Publicly owned property, 1075 Lawndale Street,<br>13th Ward (Sideyard)                                                            | 1619, 1674 |
| 1672     | Publicly owned property, 707 Chauncey Street,<br>5th Ward (Sideyard)                                                              | 1619, 1674 |

**PROPERTY**  
**ACQUISITION**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                        | <b>PAGE</b>      |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1670            | Publicly owned property, 803 Ormsby Street,<br>16th Ward (Sideyard)                                                                                                                   | 1691, 1674       |
| 1749            | Publicly owned property, located at 1921 St.<br>Paul Street, 17th Ward                                                                                                                | 1663             |
| 446             | Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Anthony J. and Rose Marie Penna                                   | 503, 589         |
| 965             | Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Anthony J. and Rose Marie Penna                                   | 503, 589<br>1023 |
| 1731            | Amending Resolution No. 269/88<br>Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Anthony J. and Rose Marie Penna | 1660, 1768       |
| 447             | Amending Resolution No. 553/88<br>Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Consolidated Rail Company       | 503, 589         |
| 445             | Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Duquesne Light Company                                            | 503, 589         |
| 449             | Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Kazimer Pulaski Society                                           | 503, 589         |
| 448             | Rehabilitation of the Ohio River Blvd., Verner<br>Avenue, and Eckert Street Bridges, 27th Ward<br>Property owned by Riverview Post No. 681,<br>American Legion                        | 503, 589         |

**AMENDMENTS**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                       | <b>PAGE</b> |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 149             | Baker, D., 1529 Orangewood Street, 19th Ward<br>for \$7,500.00                                                                       | 199, 295    |
| 1047            | Repealing Item G of Resolution No. 38/87.<br>Bell, Gloria Jean, Climax Street, 18th Ward<br>Amending Item E of Resolution No. 314/88 | 1006, 1079  |

**PROPERTY**

**AMENDMENTS**

| BILL NO. | SUBJECT                                                                     | PAGE       |
|----------|-----------------------------------------------------------------------------|------------|
| 1680     | Bromall, George, and Simon, Ernest, 1914 Rear Buena Vista Street, 15th Ward |            |
|          | Amending Item H of Resolution No. 25/88                                     | 1621, 1671 |
| 152      | Buchser, T., 5015 Penn Avenue, 10th Ward                                    |            |
|          | for \$6,500.00                                                              |            |
|          | Repealing Item K of Resolution No. 342/87                                   | 200, 295   |
| 352      | Cafaro, S., 2206 Perrysville Avenue, 26th Ward                              |            |
|          | for \$5,000.00                                                              |            |
|          | Amending Item G of Resolution No. 1087/87                                   | 434, 509   |
| 353      | Chatman, D., 1126 Lincoln Avenue, 12th Ward                                 |            |
|          | for \$500.00                                                                |            |
|          | Repealing Item E of Resolution No. 159/87                                   | 435, 509   |
| 1577     | Croom, Thenia L., 7610 Susquehanna Street, 13th Ward                        |            |
|          | Repealing Item E of Resolution No. 445/87                                   | 1524, 1605 |
| 845      | D'Angelo, Albert W., 2526 Allequippa Street, 4th Ward                       |            |
|          | Amending Item A of Resolution No. 202/86                                    | 824, 909   |
| 1678     | Dallessandri, Linda, 1414 Adams Street, 21st Ward                           |            |
|          | Repealing Item G of Resolution No. 759/88                                   | 1620, 1670 |
| 150      | Davis, B., 1323 Pointview Street, 12th Ward                                 |            |
|          | for \$3,500.00                                                              |            |
|          | Repealing Item D of Resolution No. 446/87                                   | 200, 295   |
| 526      | Diamond, Ledger, 620 Haverhill Street, 13th Ward                            |            |
|          | for \$5,000.00                                                              |            |
|          | Repealing Item A of Resolution No. 828/86                                   | 546, 654   |
| 1575     | Evans, Carl R., Jr., 715 Ganges Way, 31st Ward                              |            |
|          | Amending Item N of Resolution No. 763/87                                    | 1523, 1604 |
| 1625     | Genco, James and Sandra, 3439 Denney Street, 6th Ward                       |            |
|          | Repealing Item H of Resolution No. 400/88                                   | 1575, 1626 |
| 318      | George, F. and R., 279 Rhode Island Avenue, 20th Ward                       |            |
|          | for \$2,500.00                                                              |            |
|          | Amending Item I of Resolution No. 1088/87                                   | 381, 473   |
| 319      | Germany, G., et. al., 323 Lincoln Avenue, 12th Ward                         |            |
|          | for \$1,500.00                                                              |            |
|          | Amending Item D of Resolution No. 124/87                                    | 381, 473   |
| 24       | Goslin, P., 145 Rinne St., 16th Ward                                        |            |
|          | for \$5,000.00                                                              |            |
|          | Repealing Item F of Resolution No. 902/87                                   | 36, 131    |

**PROPERTY**

**AMENDMENTS**

| BILL NO. | SUBJECT                                                                                             | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------|------------|
| 23       | Griffin, G. and S., 1343 Montezuma St., 12th Ward<br>for \$450.00                                   |            |
|          | Amending Item C - 782/87                                                                            | 35, 131    |
| 151      | Harrison, W., 2034 Forbes Avenue, (house), and<br>2034 Tustin Street, (lot) 1st Ward for \$2,000.00 |            |
|          | Amending Item A of Resolution No. 110/83                                                            | 200, 295   |
| 1048     | Hollis, George and Mitchell, Rapheal, 2136 Fifth<br>Avenue, 4th Ward                                |            |
|          | Amending Item A of Resolution No. 314/88                                                            | 1006, 1079 |
| 1626     | Hollis, George and Mitchell, Rapheal, 2136 Fifth<br>Avenue, 4th Ward                                |            |
|          | Repealing Item A of Resolution No. 314/88                                                           | 1575, 1626 |
| 1576     | Holmes, Betty J., 243 Carver Street, 12th Ward                                                      |            |
|          | Repealing Item D of Resolution No. 374/87                                                           | 1523, 1604 |
| 592      | Hughes, T. and R., 2706 Niles Street, 16th Ward,                                                    |            |
|          | Amending Item I of Resolution No. 620/86                                                            | 634, 716   |
| 1219     | Jones, James C., 630 Seagirt Street, 13th Ward                                                      |            |
|          | Amending Item B of Resolution No. 314/88                                                            | 1145, 1253 |
| 846      | Jones, Readison and Annie, 6924 Kelly Street,<br>12th Ward                                          |            |
|          | Amending Item A of Resolution No. 201/88                                                            | 824, 909   |
| 1315     | Llach, Maria and Shipman, James, 7724 Brashear<br>Street, 14th Ward                                 |            |
|          | Repealing Item F of Resolution No. 184/88                                                           | 1285, 1332 |
| 1004     | Metting, Henry and Joann, 40 and 44 Hanover<br>Street, 18th Ward                                    |            |
|          | Amending Item J of Resolution No. 271/87                                                            | 968, 1049  |
| 527      | Minnock, Larry, 224 Hazelwood Avenue, 15th Ward<br>for \$8,500.00                                   |            |
|          | Amending Item G of Resolution No. 446/87                                                            | 546, 654   |
| 1362     | Richburg, John H., and Washington, Gayle L.,<br>3509-3513 and 3515 Wakefield Street, 4th Ward,      |            |
|          | Amending Item B of Resolution No. 967/87                                                            | 1323, 1399 |
| 54       | Richer, M. and Keller, M.A., 5536 Baywood Street<br>11th Ward, for \$7,500.00                       |            |
|          | Repealing Item C of Resolution No. 38/87                                                            | 76, 163    |
| 1313     | Richer, M. and Keller, M.A., 5536 Baywood Street,<br>11th Ward                                      |            |
|          | Repealing Item C of Resolution No. 38/88                                                            | 1284, 1332 |

**PROPERTY**

**AMENDMENTS**

| BILL NO. | SUBJECT                                                                                                    | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------|------------|
| 1679     | Rosul, Paul , 1100 Bidwell Street, 21st Ward<br>Repealing Item H of Resolution No. 838/88                  | 1620, 1671 |
| 1579     | Stawecki, Jean, 111 Fountain Street, 25th Ward<br>Repealing Item H of Resolution No. 786/88                | 1524, 1605 |
| 23       | Taylor, A., 7445 Rear Cassina Way, 13th Ward<br>for \$1,500.00<br>Amending Item F of Resolution No. 782/87 | 35, 131    |
| 1578     | Vernon, Kevin, Wheeler Street, 13th Ward<br>Repealing Item E of Resolution No. 757/88                      | 1524, 1605 |
| 1218     | Walker, Theodora L., 231-P-12, 13th Ward<br>Amending Item C of Resolution No. 314/88                       | 1145, 1253 |

**CONDEMNING**

| BILL NO. | SUBJECT                                           | PAGE       |
|----------|---------------------------------------------------|------------|
| 1384     | Certain property, 25th Ward, for Highway Purposes | 1370, 1463 |

**CONVEYANCE**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                     | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1338     | (Coöperation) URA to accept the conveyance of<br>Herr's Island Disposition Parcel D-2 on<br>Washington's Landing for the City to lease to<br>Three Rivers Rowing Association, to be used as<br>a Rowing Center for an intial term of 30 years<br>at an annual rental of One (\$1.00) dollar | 1295, 1353 |
| 638      | 16th Ward, Block and Lot 13-C-258 to Ronald<br>J. Hays for the sum of \$300.00                                                                                                                                                                                                              | 675, 747   |
| 1072     | Block 33 E, Lot 50, 18th Ward (exchange)                                                                                                                                                                                                                                                    | 1038, 1106 |
| 639      | Borough of Sharpsburg, Block 169J, Lots 73-108,<br>to Daniel J. McGreevey for the sum of \$750.00                                                                                                                                                                                           | 675, 747   |

**PROPERTY**

**DEDICATION**

| BILL NO. | SUBJECT                                                                 | PAGE      |
|----------|-------------------------------------------------------------------------|-----------|
| 934      | Landmarks Real Estate Corporation, 17th Ward<br>(public sewer easement) | 938, 1022 |

**SALE**

| BILL NO. | SUBJECT                                                                                                                                  | PAGE          |
|----------|------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 339      | FOA Company for the purchase of their property<br>along Banksville Road, 20th Ward for \$4,500.00,<br>payable from Code Account EC 87-52 | 432, 485, 522 |

**URBAN REDEVELOPMENT AUTHORITY**  
**PROPERTY SALES**

| BILL NO. | SUBJECT                                                                                                                                                                  | PAGE                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 243      | Bennett Elderly Housing, Inc. for construction<br>of a 52 unit apartment building for the<br>elderly located at Bennett and Sterett Streets,<br>13th Ward, - \$50,000.00 | 286, 412            |
| 715      | (Apartment Building for the Elderly)<br>Chism, Rudyard K. for Lassen Street (Parcel 45A)<br>in the 21st Ward for \$1,500.00 (Sideyard)                                   | 735, 834            |
| 1351     | Commonwealth of Pennsylvania, General Services<br>for Parcel A-1, 4th Ward, IRLF for \$1.00<br>(Pittsburgh Technology Center)                                            | 1321, 1401          |
| 1712     | Forbes Trail Company and/or Moose Medical<br>Associates Block 23L, Lot 101 for \$67,000.00<br>in the 22nd Ward of the City of Pittsburgh                                 | 1644, 1699,<br>1753 |
| 460      | Herring, Thomas E. and Roberta L. for 1507<br>Manhattan and 1410-1408 Liverpool Streets,<br>21st Ward for to sum of \$645.00 (Sideyards)                                 | 505, 610            |

**PROPERTY**

**URBAN REDEVELOPMENT AUTHORITY**  
**PROPERTY SALES**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                        | PAGE       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 713      | Homewood-Brushton Revitalization and Development Corporation for Parcel 12 located in the 13th Ward for \$18,400.00 (Commercial Rehabilitation)                                                                                                | 735, 834   |
| 459      | Johnson, William and Ethel for Parcel 54 (210-208) for the sum of \$300.00, 5th Ward (Parking and Sideyard)                                                                                                                                    | 505, 610   |
| 1352     | Kaib, Jr. Gildas A. for Vinecliff Street, 18th Ward for \$2,500.00 - Neighborhood Housing Fund                                                                                                                                                 | 1321, 1465 |
| 1199     | Manchester Citizens Corporation for 1213 Liverpool Street, (Parcel 161), 21st Ward for \$1,000.00                                                                                                                                              | 1142, 1264 |
| 714      | Nagel, Walter R. and Evelyn M. for Parcels 13 and 14 located in the 28th Ward for \$1,500.00 Broadhead-Fording Project (Sideyards)                                                                                                             | 735, 834   |
| 1353     | North Side Civic Development Council for 400-402-406 Chautaugua Street, 26th Ward for \$2,000.00 - Residential Land Reserve Fund                                                                                                               | 1321, 1403 |
| 241      | North Side Civic Development Council for financial assistance to the purchasers of four (4) single family units to be constructed in the 26th Ward \$71,000.00, 2524, 2526, 2532, and 2534 North Charles Street (Neighborhood Housing Program) | 285, 412   |
| 242      | North Side Civic Development Council for financial assistance to the purchasers of four (4) single family units to be constructed in the 26th Ward \$71,000.00, 2500 Block, North Charles Street (Residential Construction)                    | 285, 412   |
| 1422     | North Side Civic Development Council for property located in the 25th Ward for \$2,000.00 (Resale for Rehabilitation)                                                                                                                          | 1393, 1473 |
| 406      | Oakland Planning and Development Corporation for financial assistance to the purchasers of eleven (11) single family units to be constructed in the 4th Ward (Neighborhood Housing Program)                                                    | 466, 570   |
| 458      | Redevelopers for 5th Ward, Area No. 32 (Sideyards)                                                                                                                                                                                             | 504, 610   |
| 461      | Redevelopers for sale of properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP Sideyard Sale)                                                                                                             | 505, 610   |



**PROPERTY**

**URBAN REDEVELOPMENT AUTHORITY**  
**PROPERTY SALES**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                       | <b>PAGE</b> |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 462             | Redevelopers for sale of properties for \$100.00 per lot as per the Property Management and Maintenance Program (PMMP Sideyard Sale) | 505, 610    |
| 1201            | Redevelopers for property in the 25th and 26th Wards Residential Land Reserve Fund                                                   | 1142, 1264  |
| 1423            | Redevelopers for properties located in the City of Pittsburgh - (Sideyards and Off-Street Parking)                                   | 1393, 1473  |
| 1667            | Redevelopers for properties located in the City of Pittsburgh - \$1.00 per lot (PMMP Sideyard Sale)                                  | 1618, 1673  |
| 1668            | Redevelopers for properties located in the City of Pittsburgh - \$100.00 per lot (PMMP Sideyard Sale)                                | 1618, 1673  |
| 1669            | Redevelopers for properties located in the City of Pittsburgh - (Sideyard)                                                           | 1619, 1673  |
| 1748            | Redevelopers for properties in the 4th, 9th, 17th and 25th Wards (VPRC)                                                              | 1663        |
| 712             | Rooney, Gerard J. for 933 Warrington Avenue (lot) for \$500.00 (Residential Land Reserve)                                            | 734, 834    |
| 716             | WRS, Inc. for Parcels 7B, 7C, and 7C-1 in the 28th Ward for \$68,280.00 (Landscaping)                                                | 735, 835    |

**PUBLIC SAFETY**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                   | <b>PAGE</b>         |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 674             | Authorizing the Mayor to issue and the City Controller to countersign warrants for the purpose of establishing an Imprest Fund for investigation expenses for the Bureau of Police, Department of Public Safety Amending Ordinance No. 318/68 and Resolution No. 300/84 (SPONSORED BY MR. FERLO) | 300/84<br>703, 1397 |

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## READ AND ADOPTED RESOLUTIONS

### ALL MEMBERS

| BILL NO. | SUBJECT                                                                                                                       | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------|------|
| 578      | Congratulating the Seton-LaSalle organization on winning their first PIAA Triple A Championship and applauds everyone efforts | 600  |
| 663      | Declaring the week of April 24-30, as "National Organ Donor Awareness Week"                                                   | 672  |

### MICHAEL COYNE

| BILL NO. | SUBJECT                                                                                                                                                                                            | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1701     | Commending Anthony (Tony) DePaolo, Greenfield's Person of the Year, for his committment to the community                                                                                           | 1614 |
| 541      | Commending Dean H.J. Hoffer on his administration of the Joseph M. Katz Graduate School of Business of the University of Pittsburgh for their contribution to redevelopment in the Pittsburgh area | 534  |
| 1653     | Commending Mr. William Hawthorne for his 25 years of volunteer service in the City of Pittsburgh                                                                                                   | 1599 |
| 1062     | Commending all the volunteers and those close to them who have given so much of themselves for AIDS research and recognizing all the area research groups dedicated to the study of AIDS           | 1000 |
| 1700     | Commending the honorees of the Greenfield Organization for its committment to the future of the neighborhood                                                                                       | 1613 |
| 1554     | Commending the honorees of scholarships for the recognition of their distinguished service along with the Italian Heritage Society of America for their commitment to scholarships                 | 1490 |
| 1326     | Commending the organizers, volunteers, and attendants of the 1988 Pittsburgh Irish Festival for their contributions to Pittsburgh's ethnic vitality and to peace in Northern Ireland               | 1277 |

## READ AND ADOPTED RESOLUTIONS

### MICHAEL COYNE

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                  | PAGE |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 438      | Congratulating Bishop Donald W. Wuerl, S.T.D.,<br>D.D. in this week of his installation as<br>the eleventh Bishop of the Diocese of Pittsburgh                                                                                                                                                                                           | 455  |
| 176      | Congratulating John and Madeleine Wallace for<br>their outstanding voting record                                                                                                                                                                                                                                                         | 193  |
| 1159     | Congratulating Mae Yee and Tamara Cheroch on<br>their exceptional academic skill and many<br>accomplishments                                                                                                                                                                                                                             | 1091 |
| 126      | Council wholeheartedly supports the Community<br>Housing Partnership Act; Copy requested to<br>Congressman Kennedy and the Speaker of the House                                                                                                                                                                                          | 155  |
| 479      | Joining the community celebration of the opening<br>of the "Carbarn" and commending the HGGH<br>Council for their contributions over the<br>past 23 years                                                                                                                                                                                | 497  |
| 754      | Proclaiming May 21, 1988 as "Armed Forces Day"<br>in the City of Pittsburgh                                                                                                                                                                                                                                                              | 726  |
| 1724     | Proclaiming Thursday, December 1, 1988, as<br>"World AIDS Day" in the City of Pittsburgh                                                                                                                                                                                                                                                 | 1637 |
| 698      | Recognizing May 9-13, 1988 as "Senior Center Week"                                                                                                                                                                                                                                                                                       | 698  |
| 1702     | Recognizing the 25th Anniversary of the passing<br>of President John Fitzgerald Kennedy and<br>declaring November 22, 1988 as "John F.<br>Kennedy Memorial Day" in the City of<br>Pittsburgh and commending the Knights of<br>Equity, Court 9, for their work in initiating<br>and promoting a memorial for this great<br>Irish American | 1615 |
| 367      | Recognizing the month of March, 1988 as<br>"Hemophilia Month" and commending the<br>members and officers of the Western<br>Pennsylvania Chapter of the National<br>Hemophilia Foundation                                                                                                                                                 | 429  |
| 1082     | Supporting Pennsylvania House Bills 948, 949,<br>1079, 1080, and 1081 and Pennsylvania State<br>Bills 544, 545, 546, 547 and 548 which prohibit<br>further investment of Commonwealth assets in<br>United States corporations operating in Northern<br>Ireland unless adopt and adhere to the "MacBride<br>Principles"                   | 1032 |

# READ AND ADOPTED RESOLUTIONS

## MICHAEL COYNE

| BILL NO. | SUBJECT                                                                                                                                                                               | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1061     | Supporting the Emergency Hunger Relief Act and urges the United States Senators and the local Members of the United States House of Representatives to support SB 2123                | 999  |
| 211      | Supporting the Tri-State Conference on Steel and the Steel Valley Authority along with the United Steel Workers of America in their attempt to reopen the South Side Electric Furnace | 233  |

## EUGENE P. DEPASQUALE

| BILL NO. | SUBJECT                                                                                                                                                                                             | PAGE |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1813     | Commending the Central Catholic High School and its State Champion Football Team and declaring the week of December 19 - 24, 1988 to be "Central Catholic Vikings State Football Championship Week" | 1724 |
| 614      | Commending the firefighters and thanking them for their dedication in saving the lives of the people of Pittsburgh                                                                                  | 629  |
| 1519     | Congratulating Allegheny General Hospital on its Life Flight Program's ten year anniversary                                                                                                         | 1447 |
| 1703     | Congratulating Bernie Burns on his retirement from the City of Pittsburgh Fire Bureau                                                                                                               | 1615 |
| 1370     | Congratulating Father Norbert Rupprecht of St. Boniface Church on his 80th Birthday                                                                                                                 | 1317 |
| 1371     | Declaring September 18-24, 1988 as Emergency Medical Services Week                                                                                                                                  | 1318 |
| 1444     | Declaring October 9-15, as "Fire Prevention Week"                                                                                                                                                   | 1387 |
| 754      | Proclaiming May 21, 1988 as "Armed Forces Day" in the City of Pittsburgh                                                                                                                            | 726  |
| 1591     | Proclaiming October 27 - November 18, 1988 as a salute to the Harmarville International in recognition of the abilities and artistic accomplishments of artists with physical disabilities          | 1517 |

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**READ AND ADOPTED RESOLUTIONS**

**EUGENE P. DEPASQUALE**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                | PAGE |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1160     | Proclaiming Tuesday, August 9, 1988 as "National Night Out" and encouraging citizens to participate in the kickoff parade scheduled for July 30, 1988                                                                                                                                                                                                                  | 1092 |
| 1373     | Recognizing September 16, 1988 as "National POW/MIA Recognition Day"                                                                                                                                                                                                                                                                                                   | 1318 |
| 1127     | Recognizing the achievement of Shannon Capasso and congratulating her as she reigns as the 1988 Queen of Marbles                                                                                                                                                                                                                                                       | 1067 |
| 1343     | Recognizing the week of September 15, 1988 as "DARE DAY" in conjunction with "National Dare Day"                                                                                                                                                                                                                                                                       | 1291 |
| 1782     | Requesting the Mayor provide the authorization of police officers who have submitted their application for the police lieutenant promotional examination on December 14, 1988 and who are on duty at the time of the test to be permitted on City time, to take this test at no lost time to the employee and return back to duty at the completion of the examination | 1655 |
| 961      | Supporting the KIDWATCH PROGRAM on their effort in serving the community                                                                                                                                                                                                                                                                                               | 933  |
| 576      | Wishing the 1988 Pirates a successful season as they continue their climb to the top of the baseball world                                                                                                                                                                                                                                                             | 597  |

**JIM FERLO**

| BILL NO. | SUBJECT                                                                                                                                                                           | PAGE |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 271      | Cablecast all public hearings properly held under Section 320 of the Home Rule Charter and resolving five or members of Council may vote not to cablecast any such public hearing | 321  |
| 858      | Calling upon Commissioner Joseph Rhodes to vote to uphold the intent of the Public Utility Code and to conduct a public input hearing here in Pittsburgh on the rate request      | 819  |

## READ AND ADOPTED RESOLUTIONS

### JIM FERLO

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                             | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 699      | Commending Ed Walkowski for his contributions to the City of Pittsburgh and wishing him well in his future endeavors                                                                                                                                                                                                                                                | 699  |
| 1555     | Commending Mr. Edward J. Blotzer on his twenty-five years of service to the community in the noble effort to prevent cruelty to animals                                                                                                                                                                                                                             | 1490 |
| 962      | Commending Peabody High School Students for their participation in the Writing Workshop and acknowledging Ms. Pamela Johnson for her leadership in this project                                                                                                                                                                                                     | 935  |
| 826      | Council finds that a potential threat exists to the river system supplies by the Pittsburgh Water and Sewer Authority                                                                                                                                                                                                                                               | 783  |
| 1520     | Declaring October 17-24, 1988 as "Eastside Week" and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                                                                                                                                                                                  | 1448 |
| 1371     | Declaring September 18-24, 1988 as Emergency Medical Services Week                                                                                                                                                                                                                                                                                                  | 1318 |
| 542      | Endorsing the AMERICAN FAMILY CELEBRATION: WORKING FOR CHANGE                                                                                                                                                                                                                                                                                                       | 535  |
| 127      | Recommending U.S. Congress not support any further aid to the rebels in Nicaragua                                                                                                                                                                                                                                                                                   | 156  |
| 96       | Requesting a written report from the Housing Authority concerning the Allequippa Terrace dispute                                                                                                                                                                                                                                                                    | 103  |
| 1522     | Requesting the General Assembly to pass on or before November 30, 1988 legislation addressing the objectives of comprehensive local tax reform, as originally expressed by the Pennsylvania Local Government Conference                                                                                                                                             | 1451 |
| 1782     | Requesting the Mayor provide the authorization of police officers who have submitted their application for the police lieutenant promotional examination on December 14, 1988 and who are on duty at the time of the test to permitted on City time, to take this test at no lost time to the employee and return back to duty at the completion of the examination | 1655 |
| 1467     | Requesting the Mayor to convene a representative group of citizens for the purpose of creating a "Commission on Renaming Public Places and Property"                                                                                                                                                                                                                | 1411 |

## READ AND ADOPTED RESOLUTIONS

### JIM FERLO

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                       | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 211      | Supporting the Tri-State Conference on Steel and the Steel Valley Authority along with the United Steel Workers of America in their attempt to reopen the South Side Electric Furnace                                                                         | 233  |
| 68       | Supporting the efforts of the Senior Citizens Health Care Campaign; urging the Pennsylvania House and Senate to conduct a hearing in support of medicare overcharge legislation                                                                               | 72   |
| 1083     | Supporting the legislation in the Pennsylvania House of Representatives to secure \$200,000 from the Commonwealth of Pennsylvania to address the costs of demolishing unsalvageable dwellings and underwriting a portion of the expense to rehabilitate units | 1032 |
| 755      | Urging Congress to restore the annual funding for LIHEAP to the range of \$2 billion to meet the energy needs of the disadvantaged American                                                                                                                   | 727  |
| 212      | Urging the Pittsburgh Convention Exposition Center and the Pittsburgh Convention and Visitor Bureau to adopt PA Pitt as one of their official mascots                                                                                                         | 234. |
| 439      | Welcoming Wilfredo Seda to Pittsburgh in recognition of the vital role the Hispanic community has played in the growth of Western Pennsylvania                                                                                                                | 456  |
| 177      | Welcoming keynote speaker Thomas Gihool, Secretary of Education of the Commonwealth of Pennsylvania to the Conference on Black Basic Education                                                                                                                | 194  |
| 1521     | Welcoming the state and national officers of the United States Jaycees to Pittsburgh and recognizing that the week of October 17th marks the beginning of the Pittsburgh Jaycees Corporate Recruiting Drive                                                   | 1449 |

### OTIS LYONS, JR.

| BILL NO. | SUBJECT                                                                                                                                         | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1800     | Acknowledging the contributions of Julius Winfield Erving II, better known as Dr. J., and proclaiming Friday, December 9, 1988, as "Dr. J. Day" | 1690 |

# READ AND ADOPTED RESOLUTIONS

## OTIS LYONS, JR.

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 925      | Commending Bethal African Methodist on celebrating its 180 year rich heritage in the City of Pittsburgh                                                                                                                                                                                | 893  |
| 577      | Congratulating the Reverend Guice on the celebration of his fifth Pastoral Anniversary at Moningside Baptist Church                                                                                                                                                                    | 598  |
| 128      | Declaring February, 1988 as "Black History Observance Month"                                                                                                                                                                                                                           | 158  |
| 1520     | Declaring October 17-24, 1988 as "Eastside Week" and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                                                                                                     | 1448 |
| 1783     | Proclaiming December 5, 1988, the fifth anniversary of the Men's Shelter, as a Recognition Day for the East End Cooperative Ministry                                                                                                                                                   | 1656 |
| 268      | Proclaiming February 21, 1988 as the celebration of African Methodist                                                                                                                                                                                                                  | 277  |
| 480      | Proclaiming June 6-11, 1988 as "Motorcycle Awareness Week"                                                                                                                                                                                                                             | 499  |
| 1812     | Proclaiming Monday, December 19, 1988, to honor and recognize Rita Gesue as a service-oriented humanitarian who continues to encourage the full citizen participation of the area's deaf community                                                                                     | 1723 |
| 543      | Proclaiming the month of April, 1988 as "Fair Housing Month" in the City of Pittsburgh                                                                                                                                                                                                 | 537  |
| 1785     | Proclaims December 2, 1988 as the "Reverend Dr. Norman E. Gant Appreciation Day"                                                                                                                                                                                                       | 1659 |
| 299      | Pursuant to Section 3.1 of the Municipal Authorities Act of 1945 as amended, authorizes the proper officers of the City of Pittsburgh to join in the application of the City of Clairton to the Secretary of the Commonwealth to become the tenth member of the Steel Valley Authority | 335  |
| 613      | Recognizing Negro Educational Emergency Drive's 25th Anniversary celebration                                                                                                                                                                                                           | 626  |
| 1162     | Supporting House Bill 4727 (Comprehensive National Housing) and calling upon the Congressional Delegation for support                                                                                                                                                                  | 1095 |



## READ AND ADOPTED RESOLUTIONS

### MICHELLE MADOFF

| BILL NO. | SUBJECT                                                                                                                                                                                                    | PAGE |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 178      | Commending Bell of Pennsylvania for its continuing efforts and urge the PUC to approve the restriction of dial-a-porn lines                                                                                | 195  |
| 40       | Commending Director Lou Gaetano of the Department of Public Works for moving forward in the field of improved technology                                                                                   | 26   |
| 963      | Commending INTERNATIONAL PEACEWALK and its citizen diplomacy person-to-person contacts                                                                                                                     | 937  |
| 41       | Commending all those involved in the Ashland Oil Spill for the untiring effort to preserve safety, health and welfare to a large number of citizens                                                        | 27   |
| 481      | Congratulating Mayor Caliguiri on his successful accomplishments in securing financial support for the City and commending the Partnership for Medical Renaissance for their voluntary support to the City | 499  |
| 697      | Encouraging the passage of pay equity legislation                                                                                                                                                          | 695  |
| 1161     | Extending congratulations to the people of San Isidro and warm wishes for success of the Pittsburgh/San Isidro Roberto Clemente Sport Center                                                               | 1094 |
| 440      | Honoring Women in Action for their community work and wishing them well on the occasion of their Annual Prayer Breakfast                                                                                   | 457  |
| 544      | Proclaiming April 10 -17, as AIDS AWARENESS WEEK in the City of Pittsburgh                                                                                                                                 | 538  |
| 926      | Recognizing the organizations committed to the eradication of illiteracy in the state of Pennsylvania                                                                                                      | 894  |
| 1406     | Recognizing the week of September 26th as "Child Support Awareness Week" and commending the Allegheny County Family Division for the work they have done in the collection of child support                | 1367 |
| 1327     | Recognizing September 5th - 11th as "Women in Sports Week"                                                                                                                                                 | 1278 |
| 659      | Urging the Pittsburgh Public School Board to keep open the doors of the Connelley Vocational Trade School                                                                                                  | 666  |

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READ AND ADOPTED RESOLUTIONS

MICHELLE MADOFF

| BILL NO. | SUBJECT                                                                                                                       | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------|------|
| 1084     | Welcoming the Slawek Walesa to Pittsburgh and further,<br>offering a tribute to Karuzela, a polish song and<br>dance ensemble | 1035 |

SOPHIE MASLOFF

| BILL NO. | SUBJECT                                                                                                                                                              | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 660      | Congratulating Goodwill Industries of Pittsburgh<br>receiving a State Service Awards and proclaiming<br>Tuesday, April 26, 1988 as "Older Worker<br>Recognition Day" | 568  |
| 540      | Extending sincere congratulations to the "Pittsburgh<br>Ambassadors for Academic Excellence" and wishing<br>them an exciting trip to London                          | 533  |
| 612      | Proclaiming April 17 - 24, as "Victim Rights Week"                                                                                                                   | 625  |
| 213      | Proclaiming February 21-27, 1988 as "Engineers Week"                                                                                                                 | 235  |

MARK POLLOCK

| BILL NO. | SUBJECT                                                                                                                                                                                | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1799     | Commending Civil Air Patrol for its ongoing<br>dedication to our County and our young people and<br>declaring the week of December 12-19, 1988, as<br>"Civil Air Patrol Week"          | 1689 |
| 482      | Commending Governor Casey for nominating Joseph<br>Rhodes to the Public Utility Commission and<br>urging the Senate to confirm this nomination                                         | 501  |
| 963      | Commending INTERNATIONAL PEACEWALK and its citizen<br>diplomacy person-to-person contacts                                                                                              | 937  |
| 441      | Commending Jim Smith on his 25th Anniversary as<br>Executive Director of the Allegheny Bar Association<br>and declaring March 19, 1988 as "JIM SMITH Day"<br>in the City of Pittsburgh | 458  |

# READ AND ADOPTED RESOLUTIONS

## MARK POLLOCK

| BILL NO. | SUBJECT                                                                                                                                                                                             | PAGE |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1372     | Commending Neighborfair '88 for its time and dedication in exploring new and innovative ways to enhance our neighborhoods and declaring the week of September 19-25, 1988 as "Neighborfair' 88"     | 1320 |
| 66       | Commending all those involved with the Pittsburgh-Donstak Exchange Project and thanking Donald Gibbon                                                                                               | 63   |
| 756      | Commending the American Association of Museums for its time and dedication by declaring the week of June 3-7 as "Museum Week in Pittsburgh"                                                         | 729  |
| 1813     | Commending the Central Catholic High School and its State Champion Football Team and declaring the week of December 19 - 24, 1988 to be "Central Catholic Vikings State Football Championship Week" | 1724 |
| 545      | Commending the Lung Health Study at the University of Pittsburgh School of Medicine                                                                                                                 | 540  |
| 300      | Declaring March 1, 1988 as Abolition Day in support of House Bill 1103 and urges all Pennsylvania Representatives to support this pro-life legislation, without amendment                           | 336  |
| 1520     | Declaring October 17-24, 1988 as "Eastside Week" and commending Eastsider of the Year, Ann Davis and the 16 Volunteers of the Year                                                                  | 1448 |
| 336      | Declaring March 13-19, 1988, as "National Middle Level Education Week"                                                                                                                              | 377  |
| 1593     | Expressing deep gratitude to Eileen Mulder for her lifetime of service and devotion to the people of Pittsburgh                                                                                     | 1519 |
| 1592     | Proclaiming October 31 - November 6, 1988 as "Schenley-Israeli Teen International Exchange Week"                                                                                                    | 1518 |
| 544      | Proclaiming the week of April 10 -17, as AIDS AWARENESS WEEK in the City of Pittsburgh                                                                                                              | 538  |
| 269      | Re-examine the decision to close the post office on Walnut Street                                                                                                                                   | 278  |
| 1265     | Urging the Mayor to immediately issue an Executive Order establishing a voter registration program                                                                                                  | 1195 |

## READ AND ADOPTED RESOLUTIONS

### MARK POLLOCK

| BILL NO. | SUBJECT                                                                                                                    | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------|------|
| 67       | Welcoming Patricia Hussey and Barbara Ferraro to Pittsburgh and wishing them good fortune in their struggle to remain nuns | 65   |

### JACK WAGNER

| BILL NO. | SUBJECT                                                                                                                                                                                              | PAGE |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1654     | Commending KDKA-TV and Al Julius for their tremendous effort on behalf of Julius's Turkeys for Thanksgiving, 1988                                                                                    | 1599 |
| 1163     | Commending the General Chairman of the Three Rivers Regatta, Eugene F. Connelly and honoring the late beloved Mayor Richard S. Caliguiri, 1988 "Riverperson of the Year"                             | 1097 |
| 179      | Commending the Knoxville Community Organization for establishing the William J. Reder Memorial Scholarship                                                                                           | 196  |
| 1639     | Commending the accomplishment of Suzie McConnell and thanking her for the recognition she has brought the City of Pittsburgh by bringing home the gold as a member of the United States Olympic Team | 1568 |
| 614      | Commending the firefighters and thanking them for their dedication in saving the lives of the people of Pittsburgh                                                                                   | 629  |
| 442      | Congratulating Fred G. Zangaro for his induction into the Minor League Football Hall of Fame                                                                                                         | 460  |
| 1784     | Congratulating Roger Kingdom on winning his second gold medal in the 110 meter high hurdles at the 1988 Olympic Games in Seoul, South Korea                                                          | 1658 |
| 615      | Declaring April 25 - May 1, to be "North Catholic Trojanettes Champion Basketball Week" in the City of Pittsburgh                                                                                    | 631  |
| 368      | Extending sincere wishes for the success of the Knights of Equity St. Patrick's Banquet and Dance                                                                                                    | 430  |
| 612      | Proclaiming April 17 - 24, as "Victim Rights Week"                                                                                                                                                   | 625  |
| 754      | Proclaiming May 21, 1988 as "Armed Forces Day" in the City of Pittsburgh                                                                                                                             | 726  |

## READ AND ADOPTED RESOLUTIONS

### JACK WAGNER

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1445     | Proclaiming October 6, 1988 as "German American Day"                                                                                                                                                                                                                                   | 1389 |
| 1640     | Proclaiming the week of November 6-12, 1988 as "Marine Week" as a tribute to the 213th Anniversary of the United States Marine Corps                                                                                                                                                   | 1569 |
| 757      | Recognizing May 15-22, 1988 as Police Memorial Week in recognition to the Officers who have made the sacrifice of their precious lives for the cause of justice                                                                                                                        | 730  |
| 1556     | Recognizing October 24th - 30th as "National Drug Free America Week" and "National Red Ribbon Week"                                                                                                                                                                                    | 1491 |
| 1373     | Recognizing September 16, 1988 as "National POW/MIA Recognition Day"                                                                                                                                                                                                                   | 1318 |
| 661      | Recognizing and saluting the thirty-seven (37) honorees who will retire from the City Police Force this year                                                                                                                                                                           | 670  |
| 1127     | Recognizing the achievement of Shannon Capasso and congratulating her as she reigns as the 1988 Queen of Marbles                                                                                                                                                                       | 1067 |
| 1725     | Requesting that the Superintendent of the Pittsburgh Public Schools, Richard Wallace, and the members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax | 1639 |
| 1164     | Saluting the accomplishment of Suzie McConnell and wishing her success in becoming a member of the United States Olympic Team                                                                                                                                                          | 1099 |
| 546      | Supporting the efforts of Governor Casey and Mayor Caliguiri to thwart the unfriendly take-over and assist to ensure Koppers Company, Inc. remains a Pittsburgh based company                                                                                                          | 541  |
| 758      | Supporting the efforts of JUST SAY NO week and asking people of all ages to join in the march against drugs                                                                                                                                                                            | 732  |
| 1128     | Supporting the efforts of the Pittsburgh Water and Sewer Authority to maintain the present water allocation based on strategic location in the Metropolitan area                                                                                                                       | 1069 |

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**READ AND ADOPTED RESOLUTIONS**

**JACK WAGNER**

| BILL NO. | SUBJECT                                                                                                                                         | PAGE |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 700      | Thanking Sergeant Charles A. Brown, U.S.M.C., for his contributions to the City and wishing him success in his new assignment                   | 701  |
| 335      | Urging the Pennsylvania Department of Transportation to retain and rehabilitate both sidewalks of the West End Bridge                           | 375  |
| 1085     | Welcoming the Veterans of Foreign Wars and Ladies Auxilary to Pittsburgh and extending sincere thanks for the past and continuing contributions | 1036 |
| 576      | Wishing the 1988 Pirates a successful season as they continue their climb to the top of the baseball world                                      | 597  |
| 827      | Wishing the Duquesne Incline a Happy 111th Birthday                                                                                             | 785  |

**BEN WOODS**

| BILL NO. | SUBJECT                                                                                                                                    | PAGE |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1345     | Congratulating Bernie and Cheryl Gill on the completion of their 10 years with the Sheraden Slow Pitch Softball Organization               | 1293 |
| 1270     | Congratulating the acheivements and extending our best wishes for future voyages of the mighty "Citiworks" and its formidable crew         | 1233 |
| 615      | Declaring April 25 - May 1, to be "North Catholic Trojanettes Champion Basketball Week" in the City of Pittsburgh                          | 631  |
| 1129     | Declaring Saturday, July 23, 1988, as "Night to Aid the Hungry" in the Pittsburgh Area                                                     | 1070 |
| 1344     | Declaring September 11-17, 1988 as "Hispanic Heritage Week"                                                                                | 1292 |
| 928      | Endorsing the state wide effort, Wednesday, June 15, 1988, to lobby for an exclusive funding category for the operations of senior centers | 897  |

## READ AND ADOPTED RESOLUTIONS

### BEN WOODS

| BILL NO. | SUBJECT                                                                                                                                                                                                                         | PAGE |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1267     | Joining the Spring Garden Neighborhood Council and its constituency in the month of August, 1988, upon completion of a newly renovated facility at 1132 Spring Garden Avenue in designating the new facility as "Catalano Park" | 1197 |
| 270      | Proclaiming February 21, 1988 "Sheet Metal Craftmanship in the City of Pittsburgh on the occassion of the 100th Anniversary of the Sheet Metal Workers International Association                                                | 280  |
| 1063     | Proclaiming July 2, 1988, as "Greater Love Outreach Day" and wish them continued success in this and all other charitable undertakings                                                                                          | 1001 |
| 1266     | Proclaiming Saturday, August 6, 1988 as "Dave Carver Day" in the Crafton Heights area of the City of Pittsburgh                                                                                                                 | 1196 |
| 927      | Proclaiming the month of June, 1988 as "National Zoo and Aquarium Month" in the City of Pittsburgh                                                                                                                              | 895  |
| 662      | Proclaiming the week of April 24-30, 1988 as "A Celebration of the Northside" in honor of the North Side Leadership Conference                                                                                                  | 669  |

## REAPPOINTMENTS

| BILL NO. | NAME                | REAPPOINTMENT                                                                            | PAGE |
|----------|---------------------|------------------------------------------------------------------------------------------|------|
| 43       | Brady, Michael      | Pittsburgh Cable Communications Advisory Committee (at-large)<br>Term to expire 12-31-90 | 57   |
| 579      | Burgwin, Lela       | Historic Review Commission<br>Term to expire December, 1990                              | 619  |
| 497      | Burwell, James      | Board of Code Review<br>Term to expire December, 1990                                    | 525  |
| 860      | Colbert, William    | Pittsburgh Housing Authority<br>Term to expire June 13, 1993                             | 847  |
| 493      | D'Ascenzo, Rosemary | City Planning Commission<br>Term to expire January, 1994                                 | 524  |
| 490      | Dotter, Eugene V    | Board of Standards and Appeals<br>Term to expire January, 1991                           | 524  |

# REAPPOINTMENTS

| BILL NO. | NAME               | REAPPOINTMENT                                             | PAGE     |
|----------|--------------------|-----------------------------------------------------------|----------|
| 484      | Gardner, Michael   | Housing Authority                                         |          |
|          |                    | Term to expire June, 1993                                 | 523      |
| 581      | Lurcott, Robert    | Historic Review Commission                                |          |
|          |                    | Term to expire December, 1990                             | 619      |
| 488      | Meade, Marilyn     | Sinking Fund Commission                                   |          |
|          |                    | Term to expire December, 1992                             | 524      |
| 492      | Miskovich, Deborah | City Planning Commission                                  |          |
|          |                    | Term to expire January, 1994                              | 524      |
| 494      | Miskovich, Deborah | Board of Adjustments                                      |          |
|          |                    | Term to expire January, 1991                              | 525      |
| 483      | Mulloney, Peter    | Stadium Authority Board                                   |          |
|          |                    | Term to expire January, 1993                              | 523      |
| 863      | Pittrell, Ruth     | Pittsburgh Housing Authority                              |          |
|          |                    | Term to expire June 13, 1993                              | 848      |
| 859      | Reich, James       | Pittsburgh Housing Authority                              |          |
|          |                    | Term to expire June 13, 1993                              | 847      |
| 580      | Schmidt, Thomas M. | Historic Review Commission                                |          |
|          |                    | Term to expire December, 1990                             | 619      |
| 501      | Schock, Arthur     | Board of Code Review                                      | 525, 548 |
|          |                    | Term to expire April, 1991                                | 647      |
| 499      | Schroeder, Frank   | Board of Code Review                                      |          |
|          |                    | Term to expire December, 1990                             | 525      |
| 489      | Simms, James E.    | Minority and Women's Business Enterprise Review Committee |          |
|          |                    | Term to expire June, 1990                                 | 524      |
| 498      | Sterling, James G. | Board of Code Review                                      |          |
|          |                    | Term to expire January, 1990                              | 525      |
| 862      | Turner, Mildred    | Pittsburgh Housing Authority                              |          |
|          |                    | Term to expire June 13, 1993                              | 848      |
| 500      | Veres, Judith      | Board of Code Review                                      |          |
|          |                    | Term to expire December, 1990                             | 525      |
| 483      | Whitmer, George    | Stadium Authority Board                                   |          |
|          |                    | Term to expire January, 1992                              | 523      |
| 861      | Woods, Ben         | Pittsburgh Housing Authority                              |          |
|          |                    | Term to expire June 13, 1993                              | 848      |
| 760      | Young, Reginald    | Pittsburgh Water and Sewer Authority                      |          |
|          |                    | Term to expire January, 1993                              | 778      |



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### RESIDENTIAL PARKING PERMIT PROGRAM

| BILL NO. | SUBJECT                                                                                                                                       | PAGE               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 189      | Residential Parking Permit Program in South Oakland                                                                                           | 238, 569           |
| 1185     | Implementation of a Residential Permit Parking<br>Program in portions of the Squirrel Hill-CMU<br>Community<br>Amending Resolution No. 269/87 | 1140, 1220<br>1267 |

### ROSS TOWNSHIP RODENBAUGH AVENUE RESURFACING

| BILL NO. | SUBJECT                                                                                                                        | PAGE |
|----------|--------------------------------------------------------------------------------------------------------------------------------|------|
| 289      | Ross Township and the City of Pittsburgh for<br>the resurfacing of Rodenbaugh Avenue between<br>Ivory Avenue and the City line | 345  |

### RULES OF COUNCIL

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                                                                                               | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1711     | Amendment to Rule VIII of the Rules of Council which<br>will call for the consideration of a bill only on<br>or after the 8th day following the meeting in which<br>the bill was introduced except for special cases<br>such as when a bill may be passed finally on the<br>day of its introduction                                                                                   | 1644, 1668 |
| 1718     | Amendment to Rule VIII of the Rules of Council which<br>will call for all bills to be deposited to the<br>Clerk of Council by 12:00 noon Friday, prior to<br>the Regular Meeting of Council with the exception<br>that any member may present any bill or paper<br>notwithstanding said rule, with the consent of<br>the majority of the members present at any<br>meeting of Council | 1645, 1668 |

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#### SPRPC MEMBERS

| BILL NO. | SUBJECT                                                                                                                                                                | PAGE     |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 72       | Execute amended Article III (Membership) Agreement with the counties of Allegheny, Armstrong, Beaver, Butler, Washington, and Westmoreland for appointed SPRPC members | 108, 182 |

#### SEWAGE FACILITIES PLAN

| BILL NO. | SUBJECT                                                                                                                                                           | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 165      | Amending Title and Paragraph II of Resolution No. 676 of 1987, "Adopting Official Sewage Facilities Plan for McElhinney Plan", by including Block and Lot Numbers | 202, 299 |

#### STADIUM AUTHORITY AND PITTSBURGH STEELERS SPORTS, INC.

| BILL NO. | SUBJECT                                                                                                                                                   | PAGE |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 905      | Pittsburgh Steelers Sports, Inc., the Stadium Authority of the City of Pittsburgh and consented to be Pittsburgh Baseball Associates Stadium and Steelers | 902  |

#### STATE OF THE POOR

| BILL NO. | SUBJECT                                                                                        | PAGE     |
|----------|------------------------------------------------------------------------------------------------|----------|
| 456      | Directing the Mayor to prepare a year-end State of the Poor Report<br>(SPONSORED BY MR. FERLO) | 504, 913 |

### STREAM IMPROVEMENTS

| BILL NO. | SUBJECT                                                                                                                                                        | PAGE |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 739      | Authorizing the Mayor and the Director of the Department of Public Works to act as a sponsor for the stream improvements of the Wyman Run Tributary, 32nd Ward | 739  |

### STREET RESURFACING

| BILL NO. | SUBJECT                                                                                                                  | PAGE     |
|----------|--------------------------------------------------------------------------------------------------------------------------|----------|
| 289      | Ross Township and the City of Pittsburgh for the resurfacing of Rodenbaugh Avenue between Ivory Avenue and the City line | 345, 437 |

### STREET VACATING

| BILL NO. | SUBJECT                                                              | PAGE               |
|----------|----------------------------------------------------------------------|--------------------|
| 1293     | Brighton Place, between Jacksonia Street and Unnamed Way, 25th Ward  | 1281, 1346         |
| 1531     | Crispen Street, from Danbury Street, 26th Ward                       | 1493, 1584         |
| 1099     | Enfield Street from Morewood Avenue, 8th Ward                        | 1073, 1258         |
| 1601     | Gilpen Way from Middletown Road, 20th Ward                           | 1571, 1628         |
| 603      | Hassler Street, between Wymore Street and Weston Way, 20th Ward      | 636, 717           |
| 119      | Mary Street, between South 24th and 25th Streets, 16th Ward          | 161, 250           |
| 604      | Mossrose Way, between Flute Way and Groveland Avenue, 32nd Ward      | 636, 717           |
| 1141     | Scott Place, between Fort Duquesne Blvd. and Penn Avenue, 2nd Ward   | 1101, 1258<br>1334 |
| 944      | Unnamed Way from Bothwell Street, 26th Ward                          | 940, 1014          |
| 945      | Unnamed Way from Milroy Street, 26th Ward                            | 940, 1014          |
| 209      | Unnamed Way, 7-foot from Windom Street to Norton Street, 17th Ward   | 241, 357           |
| 602      | Unnamed Way, between Lakewood Avenue and Werder Street, 20th Ward    | 636, 717           |
| 1480     | Unnamed Way, between Los Angeles Avenue and Vodeli Street, 19th Ward | 1453, 1544         |

### STREET VACATING

| BILL NO. | SUBJECT                                      | PAGE      |
|----------|----------------------------------------------|-----------|
| 210      | Unnamed Way, from Colwell Street, 3rd Ward   | 241, 357  |
| 946      | Wilbur Street from Georgia Avenue, 30th Ward | 940, 1015 |

### TRANSFER OF FUNDS

| BILL NO. | SUBJECT                                                                                                                                                                                  | PAGE     |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 310      | Prohibiting transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh residency requirement for their employees<br>(SPONSORED BY MR. FERLO) | 380, 652 |

### TRANSFER OF FUNDS

| BILL NO. | AMOUNT     | SUBJECT                                                                                                                                                 | PAGE       |
|----------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 315      | CARRY OVER | Portions thereof remaining in certain code account for the year 1987 to the same or other code accounts for the year 1988<br>(SPONSORED BY MR. POLLOCK) | 381, 507   |
| 1569     | 1,000.00   | From Code Account 1630, Salaries and Wages to Code Account 1620, Salaries, Department of Public Works                                                   | 1522, 1578 |
| 890      | 1,600.00   | From Code Account 10, Accounts Payable Prior Years to Code Account 1801, Misc. Services, Department of Parks and Recreation<br>(SPONSORED BY MR. LYONS) | 898, 944   |
| 1458     | 2,500.00   | From Code Account 1103, Misc. Services to Code Account 1104, Supplies                                                                                   | 1414, 1496 |
| 913      | 2,600.00   | From Code Account PR 88-02, Department of Parks and Recreation, to Code Account AR, Asphalt Reimbursement, Department of Public Works                   | 903, 970   |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT   | SUBJECT                                                                                                                                                      | PAGE       |
|----------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1607     | 3,000.00 | From Code Account 1926, Administration Division, Department of Water to Code Account 1970, Salaries, Purification and Pumping Division                       | 1572, 1624 |
| 1543     | 3,000.00 | From Code Account 1926, Municipal Obligations, to Code Account 1972, Miscellaneous Services, Department of Water                                             | 1495, 1578 |
| 1414     | 4,000.00 | From Code Account 1632, Supplies to Code Account 1631, Miscellaneous Services, Department of Public Works                                                    | 1392, 1461 |
| 1819     | 5,000.00 | From Code Account 1074, Salaries and Wages, to Code Account 1022, Salaries, Regular Employees                                                                | 1781       |
| 1446     | 6,000.00 | From Code Account 1490, Equipment, to Code Account 1484, Supplies, Department of Engineering and Construction                                                | 1412, 1462 |
| 1572     | 6,712.00 | From Code Account 1102, Salaries and Wages, to Code Account 1103, Miscellaneous Services                                                                     | 1523, 1604 |
| 1546     | 7,000.00 | From Code Account 0048, No Fault Insurance Claims, Department of Finance, to Code Account No. 1022, Salaries, Regular Employees, Pittsburgh Magistrate Court | 1495, 1578 |
| 1574     | 7,000.00 | From Code Account 10, Accounts Payable Prior Years to Code Account 1802, Supplies, Department of Parks and Recreation                                        |            |
|          |          | (SPONSORED BY MR. WAGNER)                                                                                                                                    | 1523, 1579 |
| 1460     | 7,500.00 | From Code Account 10, Accounts Payable Prior Years to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation                          |            |
|          |          | (SPONSORED BY MR. WAGNER)                                                                                                                                    | 1414, 1496 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT    | SUBJECT                                                                                                                                                                                                                 | PAGE       |
|----------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1416     | 9,000.00  | From Code Account 1169, Wages,<br>Regular Employees to Code Account<br>1160, Salaries, Regular Employees<br>(\$8,000.00) and Code Account 1185,<br>Salaries, Regular Employees,<br>Department of Environmental Services | 1392, 1462 |
| 851      | 10,000.00 | From Code Account 1001-1, Misc. Services,<br>City Council, to Code Account 1006,<br>Equipment, City Clerk's Office<br>(SPONSORED BY MR. WOODS)                                                                          | 825, 910   |
| 591      | 10,000.00 | From Code Account 1022, Salaries, to<br>Code Account 1022-1, Premium Pay,<br>Pittsburgh Magistrate Court,<br>Office of the Mayor                                                                                        | 634, 716   |
| 1690     | 10,000.00 | From Code Account 1853, Utilities, to<br>Code Account 1851-1, Premium Pay,<br>Department of Parks and Recreation                                                                                                        | 1622, 1672 |
| 1438     | 10,000.00 | From Code Account 1857, Provisions<br>for Animals, to Code Account 1851-1,<br>Premium Pay, Pittsburgh Zoo                                                                                                               | 1396, 1461 |
| 1802     | 11,000.00 | From Code Account 57-1, Retirement<br>Severance Pay-Sick leave to Code<br>Account 30, Refunds-All Other Taxes                                                                                                           | 1726, 1774 |
| 1492     | 12,000.00 | From Code Account 1064, Supplies and<br>Materials to Code Account 1067-9,<br>Worker's Compensation, Department<br>of Finance                                                                                            | 1455, 1497 |
| 975      | 13,000.00 | From the Community Communications Trust<br>Funds, Bureau of Cable Communications,<br>to Code Account 1154-1, Rental of<br>Motorized Equipment, Department of<br>General Services                                        | 963, 1048  |
| 1498     | 15,000.00 | From Code Account 1003, Misc. Services,<br>to Code Account 1006, Equipment, City<br>Clerk's Office<br>(SPONSORED BY MR. WOODS)                                                                                          | 1456, 1499 |
| 1487     | 15,000.00 | From Code Account 1920, Salaries,<br>to Code Account 1923, Supplies,<br>Department of Water                                                                                                                             | 1454, 1538 |
| 1149     | 15,000.00 | From Code Account 49, Reserve Fund-Sewage<br>Service Charges, to Code Account 43-1,<br>Refunds-Fines                                                                                                                    | 1102, 1158 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT    | SUBJECT                                                                                                                                                                           | PAGE       |
|----------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1115     | 15,800.00 | From Code Account 10, Accounts Payable<br>Prior Years to various code accounts<br>(SPONSORED BY MR. WAGNER)                                                                       | 1076, 1158 |
| 1358     | 16,000.00 | From Code Account 1926, Municipal<br>Obligations from Non-City Water<br>Agencies, to Code Account 1927-9,<br>Worker's Compensation, Department<br>of Water                        | 1322, 1399 |
| 1608     | 18,000.00 | From Code Account 1926, Administration<br>Division, Code Account 1985, Equipment,<br>Department of Water                                                                          | 1572, 1624 |
| 912      | 18,000.00 | From Code Account PR 87-02, Department<br>of Parks and Recreation, to Code Account<br>AR, Asphalt Reimbursement, Department<br>of Public Works                                    | 903, 969   |
| 1007     | 18,000.00 | From various code accounts to Code<br>Account 1851-1, Zoo Premium Pay<br>Department of Parks and Recreation                                                                       | 968, 1013  |
| 1818     | 20,000.00 | From Code Account 1074, Salaries and<br>Wages, Department of Law, to Code<br>Account 1420-2, Salaries, Bureau of<br>Emergency Medical Services, Department<br>of Public Safety    | 1781       |
| 1738     | 20,000.00 | From Code Account 1461-1, Premium Pay,<br>Bureau of Fire to Code Account 1421,<br>Miscellaneous Services, Bureau of<br>Emergency Medical Services, Department<br>of Public Safety | 1662, 1696 |
| 1067     | 20,000.00 | From Code Account 1977, Utilities, to<br>Code Account 1984, Repairs, Distribution<br>Division, Department of Water                                                                | 1037, 1104 |
| 1739     | 24,000.00 | From Code Account 1405, Equipment to<br>Code Account 1401, Miscellaneous Services,<br>Bureau of Administration, Department<br>of Public Safety                                    | 1662, 1696 |
| 1355     | 24,000.00 | From Code Account 1926, Municipal<br>Obligations from Non-City Water<br>Agencies, to Code Account 1971,<br>Premium Pay, Department of Water                                       | 1322, 1398 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT    | SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PAGE       |
|----------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1632     | 25,000.00 | From Code Account 1003, Misc. Services to Code Account 1005-2, Printing Municipal Records, City Clerk's Office (SPONSORED BY MR. WOODS)                                                                                                                                                                                                                                                                                                                           | 1576, 1627 |
| 561      | 25,000.00 | From Code Account 1042, Salaries, Department of the Mayor to Code Account 1045-9, Worker's Compensation, City Information Systems                                                                                                                                                                                                                                                                                                                                 | 605, 682   |
| 873      | 25,000.00 | From Code Account 1051, Equipment, to Code Account 1048, Misc. Services, City Controller's Office                                                                                                                                                                                                                                                                                                                                                                 | 861, 944   |
| 1335     | 25,000.00 | From Code Account 1402, Salaries, to Code Account 1042-1, Premium Pay, Department of the Mayor                                                                                                                                                                                                                                                                                                                                                                    | 1295, 1374 |
| 1764     | 26,000.00 | From Code Account 57-1, Retirement Severance Pay-Sick Leave to Code Account 51, Postage                                                                                                                                                                                                                                                                                                                                                                           | 1666, 1743 |
| 1754     | 29,000.00 | From Code Account 1922, Miscellaneous Services, Department of Water to Code Account 1043, Miscellaneous Services, City Information Systems                                                                                                                                                                                                                                                                                                                        | 1665, 1740 |
| 729      | 32,371.00 | From Code Account 1401, Misc. Services to Code Account 1404, Supplies and Materials, Bureau of Administration (4,600.00) from Code Account 1422, EMS Supplies and Materials to Code Account 1424, EMS Uniforms, Bureau of EMS (2,434.00) From Code Account 1448, Misc. Services to Code Account 1449, Supplies and Materials and (2,250.00) From Code Account 1448, Misc. Services to Code Account 1450, Equipment, Bureau of Police, Department of Public Safety | 738, 828   |
| 1068     | 35,000.00 | From Code Account 1926, Municipal Obligations for Non-City Water Agencies to Code Account 1921, Premium Pay, Department of Water                                                                                                                                                                                                                                                                                                                                  | 1037, 1104 |
| 196      | 40,000.00 | From Code Account 57, Social Security Fund to Code Account 1001-2, Salaries, Wages and Services of Council, as needed (SPONSORED BY MICHELLE MADOFF)                                                                                                                                                                                                                                                                                                              | 239, 296   |



# TRANSFER OF FUNDS

| BILL NO. | AMOUNT    | SUBJECT                                                                                                                                                                          | PAGE       |
|----------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1493     | 43,000.00 | From Code Account 1060, Salaries, (16,000.00) to Code Account 1063, Misc. Services, and (27,000.00) to Code Account 1066, Equipment                                              | 1455, 1498 |
| 1542     | 44,500.00 | From Code Account 1926, Municipal Obligations, to Code Account 1982 Miscellaneous Services, Department of Ward                                                                   | 1495, 1577 |
| 637      | 49,500.00 | From Code Account 10, Accounts Payable Prior Years to Code Account 1103 (42,500.00) and Code Account 1100 (5,000.00) and Code Account 1838 (2,000.00) (SPONSORED BY MR. POLLOCK) | 675, 747   |
| 1179     | 50,000.00 | From Code Account 1400, Salaries and Wages to code Account 1402, Uniforms and Equipment, Bureau of Administration, Department of Public Safety                                   | 1139, 1251 |
| 304      | 50,000.00 | From Code Account 1801, Misc. Services to the Swimming Pool Maintenance Trust Fund, Department of Parks and Recreation                                                           | 379, 472   |
| 1776     | 50,000.00 | From Code Account 1926, Municipal Obligations for Non-City Water Agencies to Code Account 1981, Premium Pay, Department of Water                                                 | 1664, 1696 |
| 1776     | 50,000.00 | From Code Account 1926, Municipal Obligations, for non-city water agencies to Code Account 1981, Premium Pay, Distribution Division, Department of Water                         | 1680,      |
| 82       | 50,000.00 | From Code Account 57, Social Security Fund to Code Account 1001-2, Salaries, Wages (Companion to Bill No. 75) (SPONSORED BY MR. WOODS)                                           | 111,       |
| 303      | 50,689.30 | From Special Summer Food Service Program (SSFSP) to the Special Parks Program (SPPTF)                                                                                            | 379, 472   |
| 1648     | 57,000.00 | From Code Account 1043, Miscellaneous Services, to Code Account 1042, Salaries, Department of the Mayor                                                                          | 1603, 1627 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT    | SUBJECT                                                                                                                                                                                                                      | PAGE       |
|----------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1664     | 59,530.37 | To the General Fund of the City of Pittsburgh in support of the City's Community Development Block Grant Program from 1985 CDBG Program "Inspection Related to CDBG Program, "Salaries (CDFD), Department of Fire (FD-85-02) | 1618, 1669 |
| 1184     | 60,000.00 | From Code Account 1545, Street Lighting, to Code Account 1610, Misc. Services, Department of Public Works                                                                                                                    | 1140, 1214 |
| 1485     | 60,000.00 | From Code Account 1980, Salaries, Distribution Division, Department of Water, to Code Account 51, Postage, Department of Finance                                                                                             | 1454, 1497 |
| 1093     | 62,000.00 | From Code Account 10, Accounts Payable to Code Account 1443-3, Police Premium Pay, Bureau of Police, Department of Public Safety                                                                                             | 1073,      |
| 1096     | 65,000.00 | (25,000.00) From Code Account 1505, Equipment, to Code Account 1612,-2, Equipment and (40,000.00) From Code Account 1611-1, Utilities, to Code Account 1612-2, Equipment, Department of Public Works                         | 1073, 1106 |
| 1633     | 65,000.00 | From Code Account 1803, Utilities, to Codew Account 1800-01, Administration Premium Pay, Department of Parks and Recreation                                                                                                  | 1576, 1627 |
| 1688     | 71,000.00 | Various accounts within the Department of Parks and Recreation                                                                                                                                                               | 1622, 1671 |
| 972      | 75,000.00 | From Code Account 1402, Uniforms and Equipment to Code Account 1402-9, Workers Compensation, Bureau of Administration, Department of Public Safety                                                                           | 963, 1012  |
| 1689     | 79,307.21 | From Code Account SSFSP, Special Summer Food Service Program to Code Account SPP, Special Park Programs, Department of Parks and Recreation                                                                                  | 1622, 1671 |
| 1356     | 85,450.00 | From Code Account 1926, Municipal Obligations from Non-City Water Agencies, to Code Account 1981, Premium Pay, Department of Water                                                                                           | 1322, 1398 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT     | SUBJECT                                                                                                                                           | PAGE       |
|----------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 649      | 96,000.00  | From Code Account No. 1175, Equipment,<br>to Code Account 1176, Misc. Services,<br>Department of Environmental Services                           | 676, 748   |
| 30       | 100,000.00 | From Code Account 45, Health Insurance<br>to Code Account PSTA, Department of<br>Public Safety                                                    | 45, 131    |
| 98       | 100,000.00 | From various Code Account to<br>Code Account 1807, Repairs, Swimming<br>Pools, Department of Parks<br>and Recreation<br>(SPONSORED BY MR. FERLO)  | 158, 241   |
| 1269     | 104,150.00 | From Code Account 1926, Municipal<br>Obligations for Non-City Water<br>Agencies, to Code Account 1927,<br>Refunds, Department of Water            | 1234, 1257 |
| 1357     | 108,000.00 | From Code Account 1926, Municipal<br>Obligations from Non-City Water<br>Agencies, to Code Account 1986,<br>Materials, Department of Water         | 1322, 1399 |
| 1737     | 125,000.00 | From Code Account 1461-1, Premium Pay,<br>Bureau of Fire to Code Account 1443-4,<br>Premium Pay, Bureau of Police, Department<br>of Public Safety | 1661, 1696 |
| 1000     | 128,000.00 | From the Department of Water, Municipal<br>Obligation for Non-City Water, Code<br>Account 1925, to Code Account 1927,<br>Refunds                  | 967, 1048  |
| 349      | 135,000.00 | From the JTPA-1 Trust Fund to the<br>General Fund                                                                                                 | 434, 508   |
| 1545     | 150,000.00 | From Code Account 53, Debt Service,<br>Auditorium Authority, to Code Account<br>47-1, Union Bonuses, Department of<br>Environmental Services      | 1495, 1578 |
| 1212     | 166,000.00 | Code Accounts within the Department of<br>General Services                                                                                        | 1144, 1252 |
| 232      | 179,000.00 | From various Code Accounts to<br>Code Account 42-1, Reserve for<br>Unsettled Wages and Labor Contracts<br>(SPONSORED BY MR. FERLO)                | 284, 406   |
| 1573     | 184,000.00 | From and to various Code Accounts<br>in the Department of General Services                                                                        | 1523, 1578 |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT     | SUBJECT                                                                                                                                                                                                       | PAGE               |
|----------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1474     | 189,000.00 | Within various code account in the Department of Public Safety                                                                                                                                                | 1452, 1525         |
| 947      | 200,000.00 | From Code Account 53-1, Debt Service Stadium Authority to Pittsburgh JTPA-1 Trust Fund, Federal Funds<br>(SPONSORED BY MR. LYONS)                                                                             | 940, 970<br>1078   |
| 1766     | 200,000.00 | From the JTPA-2 Trust Fund, to the General Fund                                                                                                                                                               | 1666, 1743         |
| 1100     | 200,000.00 | From the Title I Renewal Early Close Out Account to the Neighborhood Economic Development Investment Fund (NEDIF) - Urban Redevelopment Authority                                                             | 1074, 1106         |
| 1015     | 200,000.00 | From various Code Accounts to Code Account 1103, Miscellaneous Services<br>(SPONSORED BY MR. FERLO)                                                                                                           | 1002, 1078<br>1157 |
| 1805     | 200,000.00 | Prior years unspent CDBG funds into Code Account CC 89-03, Pittsburgh Community Services, Inc., Hunger Program<br>(SPONSORED BY MR. WOODS)                                                                    | 1727, 1775         |
| 951      | 225,000.00 | From Code Account 57-1, Pay-Sick Leave to Code Account 30, Refunds<br>All other taxes                                                                                                                         | 941, 1012          |
| 1643     | 232,111.00 | From the Community Communication Trust Fund, Code Account CC to the General Fund of the City of Pittsburgh for the indirect costs incurred by the Bureau of Cable Communication for 1988                      | 1602, 1646         |
| 1475     | 308,000.00 | From various code account, Department of Public Safety, Code Account 49 and Code Account 53                                                                                                                   | 1452, 1525         |
| 1394     | 493,000.00 | From the 1988 CDBG Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, to the General Fund for reimbursement of salaries and wages in support of CDBG                                       | 1372, 1461         |
| 1544     | 550,000.00 | From Code Accounts 44 and 53, Department of Finance and various code account in the Department of Environmental Services to Code Account 1167, Wages, Regular Employees, Department of Environmental Services | 1495, 1543         |

# TRANSFER OF FUNDS

| BILL NO. | AMOUNT     | SUBJECT                                                                                                                                                                                                     | PAGE       |
|----------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1497     | 575,000.00 | From Code Account SPP, Special Parks Program (65,000.00) and from Code Account Account SSFSP, Special Summer Food Service Program (510,000.00) to various code accounts, Department of Parks and Recreation | 1455, 1499 |
| 664      | 575,000.00 | From various Code Accounts to Code Account SPP (254359), Special Parks (\$65,000.00) and Code Account SSFSP ((270256), Special Summer Food Services (\$510,000.00), Department of Parks and Recreation      | 702, 794   |
| 1486     | 659,265.00 | From Code Account 1922, Misc. Services, Department of Water, to Code Account 1154-1, Rental of Motorized Equipment, and Code Account 1132-2, Telephone Expenses, Department of General Services             | 1454, 1538 |
| 1472     | 690,000.00 | From various code accounts, Department of Public Safety, Code Account 49 and Code Account 41, Department of Finance to Code Account 1443-3, Premium Pay, Bureau of Police                                   | 1452, 1525 |
| 1665     | 744,853.17 | To the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the CDBG Program                                                                                         | 1618, 1670 |
| 1765     | 800,000.00 | From various code accounts (for various carriers for employee health coverage)                                                                                                                              | 1666, 1743 |
| 1473     | 945,000.00 | Within various code account, Department of Public Safety, Code Account 49, Code Account 41, Code Account 53 and Code Account 1608                                                                           | 1452, 1525 |

# TRUST FUNDS

| BILL NO. | SUBJECT                                                                                                                                                                                                                               | PAGE            |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 34       | Agreement with the School District for the provision of paramedics at certain student athletic events, by setting a termination procedure and date for Trust Fund transactions Amending Resolution No. 519/81                         | 46, 140         |
| 1786     | Animal Control and Animal Welfare Trust Fund, by including as allowable expenses, "miscellaneous services, supplies, materials, repairs and equipment related to Animal Control" (SPONSORED BY MR. FERLO)                             | 1691, 1751      |
| 1113     | City of Pittsburgh's Workers' Compensation obligation                                                                                                                                                                                 | 1076            |
| 677      | Creating an Auto Theft Trust Fund for the deposit of cash and contributions from Insurance Companies (SPONSORED BY MR. FERLO)                                                                                                         | 704, 1403       |
| 236      | Establishing the EMS Reimbursement Trust Fund by changing where the funds shall be deposited from EMS Reimbursement Trust Fund to the General Fund of the City of Pittsburgh Amending Resolution No. 1148/82 (SPONSORED BY MR. FERLO) | 284             |
| 453      | Establishing the Hunger Trust Fund of the City of Pittsburgh (SPONSORED BY MR. FERLO)                                                                                                                                                 | 504, 911<br>944 |
| 1707     | Highland Park Trust Fund for the deposit of cash and contributions from any source, but public and private                                                                                                                            | 1643            |
| 1147     | Meter Installation Program to receive funds from the Pittsburgh Water and Sewer Authority to pay the expenses of the program                                                                                                          | 1102, 1177      |
| 1450     | Port Authority Bus Lanes Trust Fund                                                                                                                                                                                                   | 1412,           |
| 32       | Providing for charges by EMS for ambulance service to non-residents, by setting a termination procedure and date for Trust Fund transactions Amending Ordinance No. 9/79                                                              | 46, 140         |
| 33       | Public Safety Third Party Payer Trust Fund, by setting a termination procedure and date for Trust Fund transactions Amending Resolution No. 1026/85                                                                                   | 46, 140         |
| 141      | Residential Parking Permit Program, to allow for payment of salaries and contract/s associated with the program Amending Resolution No. 1145/82                                                                                       | 198, 314        |

### TRUST FUNDS

| BILL NO. | SUBJECT                                                                                                                                                    | PAGE    |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 35       | Third Party Payers from ambulance service,<br>by setting a termination procedure<br>and date for Trust Fund transactions<br>Amending Resolution No. 179/81 | 46, 140 |
| 1256     | URA for receiving funds from the Authority to<br>fund Community Development Corporation                                                                    | 1199    |

### URBAN REDEVELOPMENT AUTHORITY

| BILL NO. | SUBJECT                                                                                                                                                                                                         | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 902      | (Cooperation) URA for 1988 Federal Street<br>Improvements Program                                                                                                                                               | 900, 977   |
| 899      | (Cooperation) URA for 1988 Neighborhood<br>Housing Program                                                                                                                                                      | 899, 972   |
| 900      | (Cooperation) URA for 1988 Pittsburgh<br>Construction Loan Fund Program                                                                                                                                         | 900, 972   |
| 898      | (Cooperation) URA for 1988 Rental Housing<br>Development and Improvement Program                                                                                                                                | 899, 972   |
| 903      | (Cooperation) URA for 1988 Streetface Program                                                                                                                                                                   | 900, 977   |
| 901      | (Cooperation) URA for 1988 Vacant Housing<br>Recovery Program                                                                                                                                                   | 900, 973   |
| 195      | (Cooperation) URA for implementation of the<br>Commonwealth of Pennsylvania, Department<br>of Community Affairs Enterprise Zone, to<br>include the Penn Gate Enterprise Zone<br>Amending Resolution No. 1048/87 | 238        |
| 1256     | (Cooperation) URA for receiving funds from<br>the Authority to fund Community<br>Development Corporation                                                                                                        | 1199, 1267 |
| 1539     | (Cooperation) URA for the implementation of the<br>Lawrenceville Enterprise Zone Project funded<br>by the Pennsylvania Department of Community<br>Affairs                                                       | 1494, 1590 |
| 1538     | (Cooperation) URA for the implementation of the<br>North Side Enterprise Zone Project funded<br>by the Pennsylvania Department of Community<br>Affairs                                                          | 1494, 1590 |

# **URBAN REDEVELOPMENT AUTHORITY**

| <b>BILL NO.</b> | <b>SUBJECT</b>                                                                                                                                                                                                                                                                                                                           | <b>PAGE</b>              |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 711             | (Cooperation) URA for the implementation of the Enterprise Zone Municipal Tax Exemption Program for the East Liberty and the North Side Enterprise Zone                                                                                                                                                                                  | 734, 811                 |
| 891             | (Cooperation) URA for three (300) hundred units Low Income Housing                                                                                                                                                                                                                                                                       | 898, 971                 |
| 979             | (Cooperation) URA in connection of the implementation of a grant for Emergency Shelter Grant Program, Womanspace East, Inc. Project at 2000-2002 Fifth Avenue                                                                                                                                                                            | 964, 1016                |
| 1338            | (Cooperation) URA to accept the conveyance of Herr's Island Disposition Parcel D-2 on Washington's Landing for the City to lease to Three Rivers Rowing Association, to be used as a Rowing Center for an intial term of 30 years at an annual rental of One (\$1.00) dollar                                                             | 1295, 1353<br>1375, 1480 |
| 684             | (Cooperation) URA to act as agent in matters of property relocation of rights-of-way in connection with the reconstruction of Grant Street/Liberty Avenue                                                                                                                                                                                | 705, 810<br>836          |
| 1089            | (Cooperation) URA to act as an agent in matters relative to the reconstruction of Grant Street/ Liberty Avenue, Phase III<br>Amending Resolution No. 427/88                                                                                                                                                                              | 1072, 1179               |
| 1298            | (Grant) URA with North Side Civic Development Council, Inc. for \$10,000.00 from the Neighborhood Housing Fund for curb and sidewalk work to facilitate the residential development at the corner of Chautauqua and Holyoke Street. The developer is a Pennsylvania corporation, Thomas E. Cox, President                                | 1281, 1347               |
| 1604            | (Grant) with Better Block Development Corp. for the Neighborhood Housing Fund                                                                                                                                                                                                                                                            | 1571, 1629               |
| 240             | Administration of City Programs and Projects                                                                                                                                                                                                                                                                                             | 285, 411                 |
| 411             | Authorizing expenditure of \$200,000.00 of Gateway Clipper Urban Development Action Grant Repayment Funds for the Neighborhood Economic Development Investment Fund and allocation of Neighborhood Economic Development Investment Funds for reopening neighborhood retail food stores adversely affected by the closing of supermarkets | 467, 571                 |



# URBAN REDEVELOPMENT AUTHORITY

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                                                 | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1484     | Authorizing expenditure of \$200,000.00 of Loan Repayment Funds from the Station Square Urban Development Action Grant for the Streetface Program                                                                                                                                                       | 1453, 1544 |
| 194      | Authorizing expenditure of \$340,000.00 from Giant Eagle Urban Development Action Grant repayment funds for the Streetface Program                                                                                                                                                                      | 238, 410   |
| 399      | Authorizing expenditure of \$35,000.00 of excess grant funds and interest from the Clifton Park Project (R-440) for a contract with North Side Tenants reorganization                                                                                                                                   | 464, 510   |
| 991      | Beechview Manor and the URA for site work at Beechview Manor Hi-rise                                                                                                                                                                                                                                    | 965        |
| 990      | Community Human Services, Inc. and the URA for financial assistance to operate and expand the "Social Service Program Facility"                                                                                                                                                                         | 965        |
| 1605     | Community Human Services, Inc. for financial assistance to operate and expand their early childhood and congregate living centers Amending Resolution No. 212/87                                                                                                                                        | 1572       |
| 1483     | Expending \$205,000.00 for Loan Repayment Funds from the Giant Eagle Urban Development Action Grant (UDAG); \$75,000.00 of Loan Repayment Funds from the Gateway clipper UDAG; and \$120,000.00 of Loan Repayment Funds from the South Aiken Offices UDAG for the Community Development Investment Fund | 1453, 1544 |
| 681      | Expending \$40,000.00 of Neighborhood Development Program Funds for a contract with the Hill District Community Development Corporation for site development plan of the former Western Restoration Center                                                                                              | 705, 810   |
| 1206     | Fifth amendatory cooperation agreement with URA for certain work in connection with the 1976 Community Development Block Grant Program                                                                                                                                                                  | 1143, 1265 |
| 802      | Hill Community Development Corporation for financial assistance to the purchasers of four (4) single family units located in the 1500 block of Colwell Street, 3rd Ward, under the Neighborhood Housing Fund                                                                                            | 789, 873   |

# URBAN REDEVELOPMENT AUTHORITY

| BILL NO. | SUBJECT                                                                                                                                                                                                                                                                         | PAGE       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 801      | Hill Community Development Corporation for the Neighborhood Housing Fund for excavation to facilitate the residential development at 1500 block of Colwell Street (construction of four (4) single family units, 3rd Ward                                                       | 789, 873   |
| 800      | Homewood Brushton Revitalization and Development Corporation for curb and sidewalk replacement work, sewer work and barrier wall to facilitate the residential development at URA Dispo Parcel 13, Phase II                                                                     | 789, 873   |
| 983      | Homewood-Brushton Improvement Association and the URA for rehabilitation of the a Personal Care Boarding Home                                                                                                                                                                   | 964        |
| 799      | Low Income Housing Demonstration Program Agreement for the designation and implementation of \$143,600.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds                                                                              | 789, 872   |
| 409      | Low Income Housing Demonstration Program Cooperation Agreement with the URA for designation and implementation of \$250,000.00 in Rental Housing Development Improvement Program for Rental Rehabilitation Program Funds (Corpus Christi School Conversion - Lincoln Lemington) | 466, 571   |
| 410      | Low Income Housing Demonstration Program Cooperation Agreement with the URA for designation and implementation of \$75,000.00 in Rental Housing Development Improvement Program for Rental Rehabilitation Program Funds (Corpus Christi School Conversion - Lincoln Lemington)  | 467, 571   |
| 1208     | Performance of certain work in connection with the 1979 Community Development Block Grant Program, to change the title of a certain line item                                                                                                                                   |            |
|          | Amending Resolution No. 472 of 1979                                                                                                                                                                                                                                             | 1143, 1265 |
| 1209     | Performance of certain work in connection with the 1980 Community Development Block Grant Program, to change the title of a certain line item                                                                                                                                   |            |
|          | Amending Resolution No. 313 of 1980                                                                                                                                                                                                                                             | 1143, 1266 |

# **URBAN REDEVELOPMENT AUTHORITY**

| BILL NO. | SUBJECT                                                                                                                                                                                                                                      | PAGE                     |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1207     | Preformance of certain work in connection with the 1981 Community Development Block Grant Program, to change the title of a line item Amending Resolution No. 435 of 1981                                                                    | 1143, 1265               |
| 1202     | Preformance of certain work in connection with the 1988-89 Community Development Block Grant Program                                                                                                                                         | 1142, 1264               |
| 1337     | Three Rivers Rowing Association, Herr's Island Disposition Parcel D-2 on Washington's Landing to be used as a Rowing Center                                                                                                                  | 1295, 1353<br>1375, 1480 |
| 1100     | Transfer up the \$200,000.00 from the Title I Renewal Early Close Out Account to the Neighborhood Economic Development Investment Fund (NEDIF)                                                                                               | 1074                     |
| 1299     | URA and North Side Civic Development Council, Inc. to provide financial assistance to the purchasers of two (2) single family units to be constructed in the 26th Ward. The Developer is a Pennsylvania coporation, Thomas E. Cox, President | 1282, 1347               |

## **VACANT PROPERTY**

| BILL NO. | SUBJECT                                                                                                                                                           | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 193      | Amending Ordinance 31 of 1978, Declaring the need for a Vacant Property Review Committee in the City of Pittsburgh, by changing the composition of the membership | 238, 358 |

## **WARRANTS**

| BILL NO. | SUBJECT                                          | AMOUNT | PAGE       |
|----------|--------------------------------------------------|--------|------------|
| 679      | 3M Corporation                                   | 522.48 | 704, 794   |
| 1188     | 3M Corporation<br>Amending Resolution No. 384/88 |        | 1141, 1252 |

# WARRANTS

| BILL NO. | SUBJECT                                                                                | AMOUNT     | PAGE       |
|----------|----------------------------------------------------------------------------------------|------------|------------|
| 631      | A & H Equipment Company                                                                | 7,191.73   | 674, 741   |
| 1609     | A & H Equipment Company                                                                | 16,500.00  | 1572, 1625 |
| 1187     | A & H Equipment Company                                                                |            |            |
|          | Amending Resolution No. 357/88                                                         |            | 1141, 1252 |
| 549      | A&L, Inc.                                                                              | 18,854.27  | 602, 681   |
| 164      | AGF Company                                                                            | 3,250.00   | 202, 296   |
| 203      | Ace Demolition Inc.                                                                    | 5,600.00   | 240, 356   |
| 590      | Acierno, John B.                                                                       | 1,256.63   | 634, 716   |
| 198      | Adams, Thomas and Geneva                                                               | 873.00     | 239, 356   |
| 1388     | Allegheny County Sanitary Authority                                                    | 5,400.00   | 1371, 1460 |
| 396      | American Water Works Research Foundation                                               | 18,000.00  | 464, 568   |
| 936      | Arnold Corporation                                                                     | 3,307.47   | 939, 1012  |
| 197      | Aull, Mary Ruth                                                                        | 1,400.00   | 239, 356   |
| 222      | Berecky, Dennis                                                                        | 3,600.00   | 282, 406   |
| 1216     | Blow, Thomas                                                                           | 1,643.22   | 1144, 1252 |
| 144      | Brooks, Gary L.                                                                        | 1,025.07   | 199, 293   |
| 302      | Brown, Louise R.                                                                       | 300,000.00 | 378, 471   |
| 1676     | Browns Hill Bible Chapel                                                               | 1,608.00   | 1620, 1695 |
| 136      | Buncher Management Agency                                                              | 75,564.68  | 197, 356   |
| 106      | Burkholder, Howard L.                                                                  | 10,000.00  | 159, 245   |
| 871      | Burt, Seman and Hamilton (SPONSORED BY MICHELLE MADOFF)                                | 250.00     | 861, 943   |
| 616      | Carnegie Institute                                                                     | 2,663.04   | 672, 741   |
| 224      | Carnegie Library of Pittsburg                                                          | 768.44     | 283, 406   |
| 1132     | Casciato Brothers                                                                      | 2,700.00   | 1099, 1206 |
| 1500     | Chambers Development Corp.                                                             | 14,300.00  | 1456, 1527 |
| 1488     | Chambers Development Corp.                                                             | 46,800.00  | 1454, 1526 |
| 1479     | Chambers Development Corp.                                                             | 60,100.00  | 1453, 1526 |
| 1284     | Chirigos, Michael (architect)                                                          | 410.00     | 1279, 1331 |
| 1223     | Chujko Brothers, Inc.                                                                  | 1,717.50   | 1145, 1254 |
| 1774     | Chujko Brothers, Inc.                                                                  | 975.00     | 1668, 1747 |
| 18       | Commonwealth of Pennsylvania                                                           | 788.89     | 34, 85     |
| 223      | Commonwealth of Pennsylvania, Dept. of Agriculture                                     | 1,240.00   | 282, 406   |
| 346      | Commonwealth of Pennsylvania                                                           | 1,196.73   | 434, 474   |
| 103      | Commonwealth of Pennsylvania                                                           | 1,376.34   | 159, 214   |
| 316      | Commonwealth of Pennsylvania                                                           | 441.56     | 381, 472   |
| 468      | Commonwealth of Pennsylvania, Pennsylvania State Police, Information Systems Divisions | 3,060.00   | 506, 609   |

# WARRANTS

| BILL NO. | SUBJECT                                                                  | AMOUNT     | PAGE       |
|----------|--------------------------------------------------------------------------|------------|------------|
| 142      | Commonwealth of Pennsylvania<br>Department of Environmental<br>Resources | 1,400.00   | 198, 293   |
| 1714     | Commonwealth of Pennsylvania<br>(Periodic issuance to total)             | 35,794.00  | 1645, 1695 |
| 1108     | Complete Installation Services                                           | 383,680.00 | 1075, 1107 |
| 843      | Connolly, Mary L.                                                        | 759.00     | 824, 908   |
| 1111     | Crawford and Company                                                     | 141.51     |            |
|          | Interpose                                                                | 13,342.49  |            |
|          | Smart Corporation                                                        | 673.94     |            |
|          | Hoover Rehabilitation                                                    | 2,731.50   |            |
|          | Rehabilitation Management<br>Services                                    | 11,744.72  |            |
|          | Hospital Correspondence                                                  | 95.59      |            |
|          | Physicans Review Corporation                                             | 450.00     |            |
|          | TOTAL                                                                    | 29,179.75  | 1076, 1108 |
| 248      | Crawford, William and Mary Ann                                           | 810.00     | 287, 407   |
| 844      | D and P Auto Salvage                                                     | 1,221.06   | 824, 908   |
| 1166     | Davis Marine Surveyors, Inc.                                             | 425.00     | 1137, 1251 |
| 1622     | DeBroff, Morton B.                                                       | 12,500.00  | 1575, 1625 |
| 1757     | DePasquale, Domenico                                                     | 4,000.00   | 1665, 1741 |
| 560      | DePellegrinin, Rosemarie                                                 | 3,300.00   | 604, 682   |
| 793      | Disposable Waste Systems, Inc.                                           | 3,393.63   | 788, 868   |
| 104      | Dixon, William B.                                                        | 1,467.50   | 159, 245   |
| 414      | Dorfner, Frank and Betty Lou<br>Grim, Elizabeth<br>Hines, Rose Marie     | 9,795.50   |            |
|          | Kish, Kish and Yarsky                                                    | 1,500.00   |            |
|          | (unlawful taking of property)                                            |            | 468, 568   |
| 1501     | Dunn, Lawrence J., VMD                                                   | 1,249.15   | 1456, 1542 |
| 105      | Duquense Light Company                                                   | 1,800.81   | 159, 245   |
| 1772     | E.H. Griffith, Inc.                                                      | 722.85     | 1668, 1747 |
| 1759     | Evans, Harold E. and Jenny                                               | 10,000.00  | 1665, 1741 |
| 280      | Flaherty, Mary R.                                                        | 35,000.00  | 344        |
| 1387     | Fluid Conservation Systems                                               | 3,500.00   | 1371, 1460 |
| 1494     | Franz, Jeanne Marie                                                      | 25,000.00  | 1455, 1538 |
| 1110     | Fred S. James Company                                                    | 81,666.00  | 1076, 1107 |
| 832      | G.A.I. Consultants, Inc.                                                 | 6,382.57   | 822, 908   |
| 1088     | Gal Construction Company                                                 | 137,443.05 | 1071, 1106 |
| 1165     | Gal Construction Company                                                 | 159,617.20 | 1137, 1250 |
| 1283     | Gal Construction Company                                                 | 195,372.55 | 1279, 1323 |

# WARRANTS

| BILL NO. | SUBJECT                                                        | AMOUNT    | PAGE          |
|----------|----------------------------------------------------------------|-----------|---------------|
| 7        | Gannett Fleming Transportation Engineers, Inc.                 | 18,900.24 | 32, 124       |
| 1224     | Geyer Printing                                                 | 19,950.00 | 1145, 1254    |
| 1071     | Gluvna, Joseph J.<br>and Marsha R.l                            | 1,906.46  | 1037, 1105    |
| 473      | Gooding Rubber Company                                         | 15,527.60 | 507, 609      |
| 597      | Granville Associates, Inc.                                     | 1,722.00  | 635, 717      |
| 1773     | Greater Pittsburgh Convention<br>and Visitors Bureau           | 1,500.00  | 1668, 1747    |
| 474      | Guardian Construction                                          | 4,250.00  | 507, 609      |
| 872      | Henry, Buchanan, Mick<br>and English                           | 1,525.00  | 861, 943      |
| 1045     | Hewlett-Packard Company                                        | 1,461.75  | 1006, 1079    |
| 1309     | Hummel, Mary and Stephen A.                                    | 5,000.00  | 1284, 1331    |
| 73       | Humphrey, Herbert, and Alber                                   | 11,842.16 | 109, 212, 289 |
| 1606     | Hunt, Patricia Martin<br>(SPONSORED BY MICHELLE MADOFF)        | 3,000.00  | 1572, 1624    |
| 1354     | Hydra-Stop, Inc.                                               | 2,500.00  | 1322, 1398    |
| 1044     | Industrial Valve and Fittings                                  | 1,330.00  | 1006, 1079    |
| 428      | International Business Machines<br>(IBM)                       | 897.43    | 470, 569      |
| 1677     | Katz, Marshall P. and Wallis                                   | 1,176.00  | 1620, 1695    |
| 842      | Kaylor, Norma                                                  | 1,039.73  | 824, 908      |
| 1046     | Klein's Restaurant<br>Samuel Klein, John Klein<br>and Ned Find | 1,187.50  | 1006, 1079    |
| 663      | Liberty Welding Company                                        | 1,817.50  | 702, 793      |
| 1150     | Lindquist, Carl G.                                             | 1,742.08  | 1103, 1213    |
| 559      | Mercy Hospital                                                 | 470.00    |               |
|          | Hurwitz, Dennis J. M.D.                                        | 40.00     |               |
|          | Wolfson, Jerome M.D.                                           | 27.00     |               |
|          | Berkowitz, Morton                                              | 1,255.00  |               |
|          | Mercy Hospital<br>(Medical Records)                            | 17.00     |               |
|          | Zoffer, Joseph M. (Esquire)                                    | 3,128.21  |               |
|          | Jackson, Gwendolyn<br>(for Monique Jackson)                    | 7,562.79  |               |
|          | TOTAL                                                          | 12,500.00 | 604, 682      |
| 1631     | Modern Reproductions, Inc.                                     | 896.70    | 1576, 1627    |
| 10       | Mon Valley Petroleum                                           | 36,000.00 |               |
|          | Amending Resolution No. 936/87                                 |           | 33, 125       |

# WARRANTS

| BILL NO. | SUBJECT                                                                                                                                                                                       | AMOUNT     | PAGE       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
| 17       | Monheim, Marion A.<br>(SPONSORED BY MICHELLE MADOFF)                                                                                                                                          | 1,600.00   | 34, 125    |
| 238      | Morris Knowles and Associates, Inc.                                                                                                                                                           | 423.57     | 285, 407   |
| 1791     | NBI                                                                                                                                                                                           | 1,071.25   | 1691, 1749 |
| 1499     | NBI<br>(SPONSORED BY MR. WOODS)                                                                                                                                                               | 14,775.00  | 1456       |
| 9        | National Academy for<br>Professional Driving                                                                                                                                                  | 646.03     | 33, 125    |
| 1070     | Nestor, Ronald<br>Administrator,<br>Estate of Marianne Nestor                                                                                                                                 | 200,000.00 | 1037, 1105 |
| 970      | Nicholson Construction Company                                                                                                                                                                | 16,178.80  | 962, 1048  |
| 1245     | Nicholson Construction Company                                                                                                                                                                | 24,421.06  | 1198, 1255 |
| 1727     | Nicholson Construction Company                                                                                                                                                                | 45,805.15  | 1660, 1740 |
| 1375     | Nicholson Construction Company                                                                                                                                                                | 65,315.39  | 1359, 1460 |
| 1594     | Nicholson Construction Company                                                                                                                                                                | 106,644.37 | 1570, 1623 |
| 1178     | PSP America                                                                                                                                                                                   | 6,000.00   | 1139, 1251 |
| 1760     | Palmieri, oe                                                                                                                                                                                  | 3,089.70   | 1666, 1741 |
| 51       | Pattak, Evan<br>(SPONSORED BY MR. POLLOCK)                                                                                                                                                    | 490.00     | 76, 163    |
| 1763     | Peat Marwick Main and Company                                                                                                                                                                 | 34,870.00  | 1666, 1742 |
| 1741     | Penn Paving, Inc.                                                                                                                                                                             | 60,000.00  | 1662, 1740 |
| 680      | Pioneer Supply Company, Inc.                                                                                                                                                                  | 692.57     | 705, 794   |
| 1186     | Pioneer Supply Company, Inc.<br>Amending Resolution No. 385/88                                                                                                                                |            | 1140, 1251 |
| 347      | Port Authority of Allegheny County                                                                                                                                                            | 1,567.20   | 434, 508   |
| 348      | Proctoring services in connection<br>with the Department of Personnel<br>and Civil Service Commission's<br>examination                                                                        | 22,000.00  | 434, 508   |
| 1215     | Proctoring services in connection with<br>the Department of Personnel and Civil<br>Service Commission's examination by<br>increasing 22,000.00 to 24,000.00<br>Amending Resolution No. 191/88 | 24,000.00  | 1144, 1216 |
| 1523     | Project Development Group, Inc.                                                                                                                                                               | 355.00     | 1491, 1577 |
| 1675     | R and W Formsl                                                                                                                                                                                | 9,200.00   | 1620, 1670 |
| 1468     | Reynolds Polymer Technology, Inc.                                                                                                                                                             | 11,400.00  | 1451, 1497 |
| 648      | Romar Pennsylvania Marketing, Inc.                                                                                                                                                            | 530.25     | 676, 747   |
| 719      | Royal Insurance                                                                                                                                                                               | 6,283.80   | 736, 826   |
| 1217     | Salvation Army                                                                                                                                                                                | 4,484.41   | 1144, 1253 |

# **WARRANTS**

| BILL NO. | SUBJECT                                                                                        | AMOUNT    | PAGE       |
|----------|------------------------------------------------------------------------------------------------|-----------|------------|
| 703      | Sentry Oil and Grease                                                                          | 16,500.00 | 733, 825   |
| 1559     | Sonitrol Security Systems                                                                      | 625.00    | 1520, 1604 |
| 1285     | Sonitrol Security Systems                                                                      | 2,430.00  | 1279, 1331 |
| 1248     | Swank Associated Companies                                                                     | 4,446.44  | 1198, 1255 |
| 1758     | Thornton, John P.                                                                              | 5,000.00  | 1665, 1741 |
| 46       | Triangle Roofing, Inc.                                                                         | 3,500.00  | 74, 162    |
| 1762     | Trinity Evangelical Lutheran Church                                                            | 1,000.00  | 1666, 1741 |
| 1761     | Valente, August                                                                                | 1,137.27  | 1666, 1741 |
| 1301     | Vendors, expenses incurred in moving<br>specialty equipment from the<br>Public Safety Building | 20,509.00 | 1282, 1331 |
| 221      | Western Pennsylvania Equipment Corp.<br>Amending Resolution No. 880/87                         | 2,342.00  | 282, 405   |
| 794      | Westinghouse Elevator Company                                                                  | 19,300.00 | 788, 868   |
| 249      | Williams, Linda D.                                                                             | 1,041.28  | 287, 407   |

# **WYMAN RUN TRIBUTARY**

| BILL NO. | SUBJECT                                                                                                                                                                 | PAGE     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 739      | Authorizing the Mayor and the Director of<br>the Department of Public Works to act as<br>a sponsor for the stream improvements<br>of the Wyman Run Tributary, 32nd Ward | 739, 833 |



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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXXII

Monday, January 4, 1988

No. 1

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### Municipal Record

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#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, January 4, 1988

In accordance with the provisions of the Act of the Assembly of the Commonwealth of Pennsylvania, approved May 31, 1911, the Members-elect of the Council of the City of Pittsburgh, together with those holding over, convened in the Chambers at 10:00 a.m.

The Council was called to order by Michael A. Perry, City Clerk, who acted as Chairman Pro tem of the meeting.

#### Mr. Perry:

This being the day and the hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred and Twenty-Fifth Council will be in order.

Please rise for the Pledge of Allegiance to the Flag, and will you please remain standing for the invocation which will be delivered by Father Joseph

Kurutz, Pastor of Saint Raphael's Church.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### Father Kurutz:

Father in heaven, we glorify your name and ask you to forgive us any action or word that lessens that glory. As we anticipate the new year we ask your blessings on those who would govern the people of Pittsburgh.

Open their hearts to your word. Guide them to keep only those qualities that reflect the image of your perfection.

Father help them to govern with charitable wisdom so that they may approve the better things for the people being served.

May he grant the members of Council health enough to make work a pleasure, wealth enough to support their needs, strength enough to battle difficulties and overcome them.

Patience enough to work until some good is accomplished, charity enough to see the good in every person, love enough to move them to be useful and helpful to others.

Faith enough to make real the things of God, and hope enough to

remove all anxious fears concerning the future.

I pray God in his kindness will grant Mayor Caliguiri a renewed wholeness of strength and health so that he may continue to serve the City of Pittsburgh for many years.

We ask this as your adopted children bound by your love and conceived in your love. Amen.

Mr. Perry:

Thank you, father.

Thy first order of business will be the presentation of Certificates of Election.

Bill No. 1

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the third day of November, 1987, in said County

MICHAEL F. COYNE

was duly elected to the office of

MEMBER OF COUNCIL

for

CITY OF PITTSBURGH

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1987.

David S. Cercone  
Patrick McFalls  
Robert A. Kelly  
Judges of the Court of Common Pleas  
Constituting the Board of Elections  
of the County of Allegheny, Pa.

Which was read, received and filed.

Also,

Bill No. 2

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the third day of November, 1987, in said County

JIM FERLO

was duly elected to the office of

MEMBER OF COUNCIL

for

CITY OF PITTSBURGH

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1987.

David S. Cercone  
Patrick McFalls  
Robert A. Kelly  
Judges of the Court of Common Pleas  
Constituting the Board of Elections  
of the County of Allegheny, Pa.

Which was read, received and filed.

Also,

Bill No. 3

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the third day of November, 1987, in said County

OTIS LYONS, JR.

was duly elected to the office of

MEMBER OF COUNCIL

for

CITY OF PITTSBURGH

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1987.

David S. Cercone  
Patrick McFalls  
Robert A. Kelly  
Judges of the Court of Common Pleas  
Constituting the Board of Elections  
of the County of Allegheny, Pa.

Which was read, received and filed.

Also,

Bill No. 4

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the third day of November, 1987, in said County

MICHELLE MADOFF

was duly elected to the office of

MEMBER OF COUNCIL

for

CITY OF PITTSBURGH

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1987.

David S. Cercone  
Patrick McFalls  
Robert A. Kelly  
Judges of the Court of Common Pleas  
Constituting the Board of Elections  
of the County of Allegheny, Pa.

Which was read, received and filed.

Also,

Bill No. 5

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the third day of November, 1987, in said County

JACK WAGNER

was duly elected to the office of

**MEMBER OF COUNCIL**

for

**CITY OF PITTSBURGH**

in the County of Allegheny,  
Commonwealth of Pennsylvania.

Witness our hands and the seal this  
twenty third day of November, 1987.

David S. Cercone  
Patrick McFalls  
Robert A. Kelly  
Judges of the Court of Common Pleas  
Constituting the Board of Elections  
of the County of Allegheny, Pa.

Which was read, received and filed.

**Mr. Perry:**

We are honored to have with us the  
morning The Honorable James J. Hanley,  
District Magistrate for the 15th & 31st  
Wards, who will administer the Oath of  
Office to Michael F. Coyne.

**Magistrate Hanley:**

Raise your right hand and repeat  
after me.

I, Michael F. Coyne, do solemnly  
swear or affirm that I will support the  
Constitution of the United States, and of  
this State, and the Charter of this City,  
and that I will faithfully discharge the  
duties of the office to the best of my  
ability.

The Oath of Office was  
administered by Magistrate Hanely and  
Michael F. Coyne signed the oath.

**Magistrate Hanely:**

Congratulations.

**Mr. Perry:**

We also have with us the Honorable  
W. Terrence O'Brien, Judge, Court of  
Common Pleas, who will administer the  
Oath of Office to Jim Ferlo.

**Judge O'Brien:**

Raise your right hand and repeat  
after me.

I, Jim Ferlo, do solemnly swear or  
affirm that I will support the  
Constitution of the United States, and of  
this State, and the Charter of this City,  
and that I will faithfully discharge the  
duties of the office to the best of my  
ability.

The Oath of Office was  
administered by Judge O'Brien and Jim  
Ferlo signed the oath.

**Judge O'Brien:**

Congratulations:

**Mr. Perry:**

Also, The Honorable Walter R.  
Little, Judge, Court of Common Pleas,  
who will administer the Oath of Office  
to Otis Lyons, Jr.

**Judge Little:**

Raise your right hand and repeat  
after me.

I, Otis Lyons, Jr., do solemnly  
swear or affirm that I will support the  
Constitution of the United States, and of  
this State, and the Charter of this City,  
and that I will faithfully discharge the  
duties of the office to the best of my  
ability.

The Oath of Office was  
administered by Judge Little and Otis

Lyons, Jr. signed the oath.

**Judge Little:**

Congratulations.

**Mr. Perry:**

We also have with us The Honorable Lawrence W. Kaplan, Judge Court of Common Pleas, who will administer the Oath of Office to Michelle Madoff.

**Judge Kaplan:**

Raise your right hand and repeat after me.

I, Michelle Madoff, do solemnly swear or affirm that I will support the Constitution of the United States, and of this State, and the Charter of this City, and that I will faithfully discharge the duties of the office to the best of my ability.

The Oath of Office was administered by Judge Kaplan and Michelle Madoff signed the oath.

**Judge Kaplan:**

Congratulations.

**Mr. Perry:**

Also, The Honorable Leonard W. Boehm, District Magistrate for the 29th & 32nd Wards, who will administer the Oath of Office to Jack Wagner.

**Magistrate Boehm:**

Raise your right hand and repeat after me.

I, Jack Wagner, do solemnly swear or affirm that I will support the Constitution of the United States, and of

this State, and the Charter of this City, and that I will faithfully discharge the duties of the office to the best of my ability.

The Oath of Office was administered by Magistrate Boehm and Jack Wagner signed the oath.

**Magistrate Boehm:**

Congratulations, Jack and Happy Birthday.

**Mr. Perry:**

Being that the newly elected and re-elected members of Council have been duly sworn-in, the Clerk will call the roll.

**PRESENT:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mrs. Masloff |
| Mr. DePasquale  | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons, Jr.  | Mr. Woods    |
| Michelle Madoff |              |

**Mr. Perry:**

Nine members present.

The next order of business is the nomination and election of the President of City Council, nominations are now in order.

**Mr. Lyons:**

Mr. Perry, I rise to brace in nomination the name of the Honorable Sophie Masloff to be President of this Council.

**Mr. Perry:**

Sophie Masloff has been nominated.

Michelle Madoff seconded the motion.

**Mr. Perry:**

No seconds required.

**Michelle Madoff:**

I did it anyway.

**Mr. Perry:**

Okay.

Any more nominations?

**Mr. Ferlo:**

Mr. Perry, Members of Council, ladies and gentlemen, I place before this body the nomination of Councilman Jack Wagner for the office of President of City Council.

**Mr. Perry:**

Mr. Wagner has been nominated.

**Mr. Ferlo:**

In announcing his desire to be Council President, Mr. Wagner has proposed some important and quality changes in both the character and role of Council and its Committees.

He has made a commitment to address the problems of Pittsburgh by creating something new and preserving something old by following the mandate of our charter and the rules of Council.

Mr. Wagner over the past four years has been a leader on Council. He has been independent, constructive and he has worked diligently to make Council fulfill its legislative mandate. I have not always agreed with every issue and position taken by Councilman Wagner nor will I necessarily in the future, but all of us on Council can be assured that with Mr. Wagner as President we can expect

someone who will democratically conduct the affairs of Council, will articulate the need for legislative independence, will engage department directors as well as the public in a fear and hospitable fashion, will actively seek out the opinion and concerns of all Council members on important issues facing the city, and will provide new and energetic leadership as this Council and our city attempt to resolve many pressing issues.

Ladies and gentlemen, fellow colleagues please give Mr. Wagner your utmost consideration. Thank you.

**Mr. Perry:**

Mr. Wagner has been nominated.

Any more nominations? Any more nominations? Any more nominations?

**Mr. DePasquale** moved to close nominations.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Perry:**

Clerk will call the roll on the election of President of City Council.

**Mr. Wagner:**

City Clerk, may I comment?

Mr. Perry, Members of Council, ladies and gentlemen, first of all I want to thank Mr. Ferlo for nominating me for the very important position of President of Council. As all of you know I've served on this Council for four years and I have been an open, visible person not only accessible to all of you, but also accessible to the public, the news media, and all people in the City of Pittsburgh.

In running for the Presidency of Council, I want to state clearly why I'm running and the platform of which I am running on. We have done extensive research in our office pertaining to Council and the history of Council, and I am always of the belief that we must look inward to determine if we need to make change. Not only change in personnel, but also change in the positions, the platforms, the committee structure, and how Council is run.

I firmly believe that the residents of this city have asked us to do that repeatedly, and in researching the past of Council, I firmly feel that there is a great need in changes in the make-up and the structure of Council, and looking at the Committee structure of Council we have found that there has not been significant change in the Committee structure of Council for over 45 years. When I say significant change I mean change addressing the problems of the City of Pittsburgh. No matter who is elected Council President today and I believe certain people have better odds than others, but no matter who is elected as Council President today there is a great need to look at improving Council by changing the Committee structure.

I have proposed certain changes and I want to briefly go over them with you. I believe we need a Committee on Council pertaining to economic development and the retention of jobs in the City of Pittsburgh.

Presently, we have a Committee that is listed as the Committee on Planning, Housing and Development. It is a very important Committee of Council but it contains too much. It contains the Urban Redevelopment Authority, the Housing Authority, the Planning Department, Zoning, and many other responsibilities.

I firmly feel we should zero in on the economic area along with the Administration to address that concern. I also feel in the area of finance we should become actively involved in local tax reform. I know the Mayor has proposed an excellent program to Harrisburg on tax reform. I feel it's the duty of this Council to become actively involved in that lobbying effort.

Some other proposed changes that I would like to see occur are in the area of Public Works and Water. We all know the load of legislation that passes through this Council. In some Committees there is significant legislation in others there hardly none. Those two departments Public Works, and Water I feel should be under one Council member, and I think that would be the appropriate way to change and improve Council. In addition I'd like to see greater importance placed on the Environmental Services area in city government. Presently it falls under the Committee on Public Works. There is a great need with the problem in our country as it relates to landfills and the expiration of our landfill contract in 1988 to address that problem. I would like to see a Committee pertaining to that.

Other Committees I think should remain the same, such as Public Safety, such as Parks and Recreation, and I'd like to see an improvement in the Committee on Hearings also, which is the responsibility as this present time of the President of Council.

I firmly believe there's a greater need for inner-governmental communication between this Council, this City, and the City School Board. I think these changes are necessary on Council. They are some of the new ideas that I would like to see proposed or considered no matter who is the

President of Council, and in addition to that I there's a need to look at the old, the charter, the rules of Council and begin to enforce those rules as they relate to the charter and to the rules of Council.

One significant area I believe is in the attendance of Council. I firmly believe that we should have a better attendance record on Council, and I'm stating that publicly.

I also think there's a need to enforce not only that rule but the decorum on Council, and I want all of you to know that if I am elected Council President, I will do that. Not only changes in the Committee structure, but changes to improve the old rules, to enforce the old rules here on City Council.

Lastly, I simply want to state that I appreciate the support that has been given me, the commitment that has been given to me for the President of City Council. Not only Mr. Ferlo but many members of the public have supported me in this endeavor. I'm not sure how it will turn out, we'll know within seconds, but I want to thank each and everyone of you, thank you.

**Mr. Perry:**

At this time, would any member care to withdraw his name?

Clerk will call the roll on the election of the President of City Council.

**Mr. Coyne:**

I cast my vote for Mrs. Masloff.

**Mr. DePasquale:**

I cast my vote for Mrs. Masloff.

**Mr. Ferlo:**

If I have nothing else but a sense of commitment and a willingness to keep it, I'm going to follow through and support Mr. Wagner.

**Mr. Lyons:**

I cast my vote for Mrs. Masloff.

**Michelle Madoff:**

And for the first woman of the City of Pittsburgh as President of Council, it is my pleasure to vote for Sophie Masloff.

**Mrs. Masloff:**

I cast my vote for Mrs. Masloff.

**Mr. Pollock:**

I cast my vote for Mrs. Masloff.

**Mr. Wagner:**

I cast my vote for Mr. Wagner.

**Mr. Woods:**

I cast my vote for Mrs. Masloff.

**VOTING FOR MRS. MASLOFF:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mrs. Masloff |
| Mr. DePasquale  | Mr. Pollock  |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff |              |

**VOTING MR. WAGNER:**

Mr. Ferlo  
Mr. Wagner

**Mr. Perry:**

Mrs. Masloff has been elected as President of City Council.



**Mr. Woods:**

Mr. Chairman, I would like to make a motion that for the unity on Council that we make it unanimous all nine members voting for Mrs. Masloff.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Perry:**

Mrs. Masloff receives a unanimous vote.

The Honorable Rita Wilson Kane, Register of Wills, will administer the oath of office to Sophie Masloff, President of City Council.

**Mrs. Kane:**

Sophie Masloff, will you raise your right hand and repeat after me.

I, Sophie Masloff, do solemnly swear or affirm that I will support the Constitution of the United States, and of this State, and the Charter of this City, and that I will faithfully discharge the duties of the office to the best of my ability, and with fidelity.

Congratulations.

**Mr. Perry:**

Members of Council, ladies and gentlemen, may I present to you the President of the Council of the City of Pittsburgh.

**Mrs. Masloff, President of Council:**

Thank you Mike, thank you very much.

I am honored with the confidence you have placed in me in assuming the important responsibilities as President of

this Council. It is a great thing that Council has finally chosen a woman to lead it and I am especially grateful that I am the woman it has chosen.

You know, I've been reading in all the newspapers and hearing on all the broadcasts that I'm grandmotherly, that I'm like everyone's grandmother. This is truly remarkable for a woman of 45.

Again, I am delighted that Pittsburgh now joins the ranks of cities with women as Council President, and I am grateful to all of you who made it possible.

I am especially grateful to a few people whose support I would like to briefly acknowledge at this time. Through all my years in the public sector, my family has been most supportive. Perhaps it is a cliché that a public official is never off duty. But it can still be difficult for families when home life is interrupted by unscheduled meetings and other public business. Through all these years, my husband Jack has been supportive and understanding, and just as wonderful as can be. I've thank him many times privately, and Jack, I would like to thank you now, publicly, for all the wonderful years.

My daughter, Linda couldn't be with us, but her daughter Jennifer is here. Jennifer, will you stand up for a moment? Your mother will say I'm spoiling you again, but you're the best granddaughter a grandmother could have.

I would also like to express my deep appreciation to Rita Wilson Kane. In addition to her distinguished public service, Rita is a lifelong friend and advisor, and there aren't words enough to express my appreciation and affection for her. So Rita, let me just say, thank you.

And I am so thrilled that Mayor Caliguiri is here today. Dick, I know you're not one to seek the spotlight, but it has been my pleasure to serve on City Council for your entire tenure as Mayor. Your courage and leadership have brought Pittsburgh to the forefront of American cities. It's been rewarding to work with you, and I look forward to working with you to maintain the City's momentum.

Finally, I'd like to ask Loretta Miller to stand. As those of you who phone my office know, Loretta is my aide, and she works long and tirelessly for the City. Loretta, they tell me it's going to get even harder, so hand in there, and thank you sincerely.

As a member of Council these many years, I have observed some of the trials and tribulations of the President and the restraint required on occasion in wielding the gavel and I have given some thought to having the walls of my office padded.

However, being a person of a positive nature, I believe that my experience as a member of Council has prepared me to conduct the business of this body with fairness and with dignity.

As a daughter of immigrant parents, I have traveled a long, eventful road working in the public service.

It has been rewarding in the sense that over the past four decades I have witnessed the dramatic physical and environmental changes that have won us national recognition as America's most livable City — and even more so in the fact that I have been able to make a real contribution in the City's progress as an elected official.

I look forward to joining my colleagues in Council — both as a

member and now as President — in continuing to work together in the best interests of the people of Pittsburgh. We must remember that it is the average person on the street to whom we are responsible.

I cannot succeed in my new duties without your assistance and support. In the coming year, Council will face many new challenges — in maintaining the City's economic stability and stimulating growth in all areas of development.

We can expect diverse viewpoints on matters of City business coming before us — with the usual debates and controversy. That's as it should be.

However, in doing so, I would hope that we do respect the viewpoints of all members so that we can conduct our sessions in a calm and orderly fashion — in a manner that will ensure the respect and confidence of the people we serve.

As those of you who have worked with me in Council know, I am a woman of few words — and even with the pride and satisfaction that I feel at this moment, I will be brief.

I would like to welcome to the Council table, our new members, Otis Lyons, Jr., Jim Ferlo and Mike Coyne.

I look forward to working with you and if there is any way that I can be of assistance to you, do not hesitate to ask. I hope that your service as members of City Council will be both productive and enjoyable.

In closing, I would like to confirm my dedication to helping establish a record of achievement, a record on which all Council members and Mayor Caliguiri can proudly stand for re-election in 1989. And even more importantly, I confirm my commitment

to helping the City of Pittsburgh successfully meet all the challenges of the future.

Thank you all very much.

**Mayor Caliguiri:**

Thank you so much Madam President and that certainly has a nice ring to it, we'll all have to get use to. It's indeed a pleasure to be with all of you today, and I can assure that '88, Otis is going to be a much better year for you and I. We're going to be stronger people for it, there's no doubt about it.

Madam President, and allow me to congratulate Sophie and your words are well taken and I can assure you I will reciprocate and work very very closely with you and members of Council to make '88 even a better year for the City of Pittsburgh, and also allow me to congratulate the newly elected members of Council, Mike Coyne, Jim Ferlo, and Otis Lyons. You certainly worked tirelessly in this year to get where you are now today and I certainly look forward to working very closely with the three of you, and of course Michelle Madoff and Jack Wagner the two incumbents that were re-elected. Again, I look forward to working with each and everyone of you, and to all members of Council that are here today.

1988 is going to be a critical year for Pittsburgh, and it's a year that we must work closer together. Some of your comments Jack are well taken, that we must form a partnership within ourselves, we must communicate even more than we have before. Because only in that way can we begin to do the things that your supporters and the people out there recommend and expect of us. We've got to do this in order for Pittsburgh to continue to move ahead, and I certainly make that commitment to

all nine of you, that we will work together, the department heads, the Administration, the Mayor's Office and yes myself personally want to work a lot closer, because our agenda is full. There are many things we have to do. Starting with tax reform, which is just a few weeks away. That will open the door to many things for the City of Pittsburgh to continue to move forward, and I need each and everyone of you. I refuse to do it alone, nor the Administration, we need you as members of Council, we need City Council to help get the Legislature to put this legislation through. Plus all the other legislation that is necessary to keep Pittsburgh the number one City, and I also look forward to your own legislation that will be initiated at this end.

Again, the Administration doesn't have a corner on proper legislation. It comes from both sides because we are partners, we are in this together. It has to be that way. That commitment is to you, to you and I. The commitment also to the people in this audience and to the citizens of this City that we will work close with them in 1988, because we do have a proud City, a very warm City, a very caring City, and a City that is very very progressive. In order to keep it that way all of us each and everyone of us have got to continue to work with one another. That is my commitment to you, that is my commitment to members of City Council, and let me tell you I look forward to 1988 with all the vigor, all the energy, all the electricity that I have inside me, and there's plenty inside me today, I can assure you, and I hope it's working.

They say you change these things only every ten years, but I'm going to work this darn thing so hard they're going to have to change it every two years in me. Again, to all of you for all your support, your encouragement, I will work

twice as hard in 1988 for this great City and this great people of Pittsburgh, thank you all and God bless of all you.

**The Chair:**

I will now entertain remarks from our newly elected and re-elected members.

**Mr. DePasquale:**

Point of order, Madam President, but Mike isn't the first order of business appointing the Committees before we --

**The Chair:**

No.

**Michelle Madoff:**

Mayor Caliguri, you almost filled my thunder. You should have go together with me.

Mayor Caliguri...Members of Council...Friends and Supporters.

I'm not quite sure whether the first thing I should do is to apologize to the democratic party for getting re-elected...or to thank my friends and supporters for voting for me? Perhaps, the reality is that I wouldn't be here today, if many of the players in the organization hadn't voted for me...So, I'll just thank all of you who worked so hard for my re-election and all who found me worthy of your vote...thank you!

I believe it is appropriate at this time, to talk a little more about reality...the reality we are all confronted with as Pittsburghers...the need for jobs...and when we speak of jobs. We must surely be grateful for the opportunities that await us with the development of the land around the airport...and the expansion and

development in Cranberry Township...and of course...the connecting of the marvelous new highway networks...that will bring residents from these developing residential areas...into Pittsburgh...The hub of the five region county area, west of the Allegheny's, Pittsburgh...where visitors will come by the thousands to enjoy themselves at our new Benedum Center for the Arts...our magnificent symphony orchestra at Heinz Hall...take in a ballet, visit Station Square...catch a Steeler or Pirate game at the stadium...or perhaps these suburbanites will come from these new residential developments...to take in an art exhibit at Carnegie Museum...and a look at the new Buhl Science Center...and then...as the evening comes to an end...they will take this marvelous network of new highways and scoot back...in 45 minutes or less, to their suburban homes...where they don't have to pay a four percent wage tax.

An interesting reality is the 57 percent of the City's work force are non residents who pay wage tax where they live...and yet...on December 25, 1987, Commonwealth Court rejected Mayor Caliguri's suit aimed at allowing Pittsburgh to collect, at least, some reasonable percentage...above the \$10 dollar occupation tax commuters now pay...some small percentage of the four percent wage tax inflicted on Pittsburghers out of the necessity to pay for services and tax exempt amenities we all enjoy...City residents and suburbanites!

Would anyone really want to live in their suburban communities if Pittsburgh didn't offer the availability of infinite entertainment...fine restaurants...excellent hospitals...universities? Of course not!

As Harrisburg wrestles with the proposed new tax reform bills...still on

the back burner...Pittsburgh Legislator's...City Council the Mayor and the Administration, have already indicated that 1988 may end the freeze on tax increases, and worse yet...the serious consideration of cutting back on services...vital services...police, fire, paramedics, refuse workers....certainly no later than 1989 if we don't receive meaningful tax reform...we will see a greater exodus to the suburbs...the population in the last 20 years decreasing from 700,000 to under 400,000 will witness a further population loss.

Now add to this the reality...the forthcoming massive requests for real estate decreases on assessments, because of properties selling for less, in a buyers market...which can severely decrease the anticipated revenues in the general fund...Gateway Towers is a classic example.

The reality is that if we don't rid ourselves of the four percent wage tax we are truly up the proverbial creek without a paddle.

So what do we do? I'm convinced that the Administration and Pittsburgh residents will do whatever must be done...Perhaps, if we are denied tax reform, we will in the mold of Gandhi...take our cars...trucks...buses, whatever, and camp out on the doorsteps of our Legislators in Harrisburg...tie up the highways...so they can't leave until tax reform is a reality and I'm confident Mayor Caliguri would join us...if there is no alternative.....

Certainly, in reality, there are some bright spots....such as the potential to generate new jobs through the development of the Pittsburgh High Technology Center and the incubator businesses, generated by both Pitt and Carnegie Mellon....and of course from my perspective, the best opportunity to

generate new jobs, entrepreneurial jobs, is the long awaited "Riverside Festival" which must break ground this spring!...jobs and salaries, that increase our tax base is the only guarantee of keeping Pittsburgh the most livable City in the country.

Well so much for reality now for my wish list....I hope and pray that this new Council will move into the 21st Century and quickly hire its own legal Council, a Fiscal Analyst to work with our Budget Office....and an engineer to help Council members be better informed so that we don't vote in a vacuum and thus become a truly professional body.

The purpose of these experts would not...be to one-up the Administration, but to help Council in budget deliberations, help us determine funding priorities, and provide an intelligent overview of construction contracts...presently, too often awarded far in excess of the estimate...the most glaring recent example is the second phase of Grant Street, awarded at more than \$1 million over the consultants estimate....this could go a long way towards lowering the four percent wage tax.

In the difficult time ahead...we must put an end to confrontational politics...we must put all differences behind us...from this day forward we must work not only with the Administration, but somehow work out a viable working interaction with the Controller's Office...The City is facing tough times...the constraints of a tight budget do not permit..personal interests to perpetuate adversarial governing...We must all pull together. This doesn't mean we will always agree with the Administration, but perhaps both sides can agree that two heads are better than one...as long as we don't usurp each

others roles...maintaining separation of powers....Personally, while I have voted with the Mayor on almost all major issues, I will continue to exercise my right and commitment to the voters to vote no when I disagree...and as I did on the creation of the Water and Sewer Authority.

But if Reagan and Gorbachev can sit down together for the good of the world...than there is no reason that Council and the Administration can not work together for the good of our community. We are up against the wall folks and we must face up to the realities!

I hope that in the next two years I will continue to be a productive member of Council, continue to introduce meaningful legislation...finish my report on tracking hazardous materials in an attempt to avert another Bloomfield episode...push for a county referendum that would permit Metropolitan government by at least the year 2000. Push for the use of tax abatements to encourage suburbanites to move into Pittsburgh and encourage business to locate here...I will continue to be available to the voters...and trust that I will do you proud..thank you!

**The Chair:**

Thank you, Michelle.

**Mr. Wagner:**

Thank, you, Madam President. Reverend Clergy; Mayor Caliguri, honored guests, my fellow colleagues old and new, ladies and gentlemen, life has a funny way of wearing its history between people and events. So many times when problems seem to press the top of my list; a part of my solution can be traced to the wisdom I have received from my Father and Mother. Families...deep

rooted ethnic ties, are the foundations that make for solid communities within a great City, Pittsburgh. I proudly stand before you on this January 4, 1988 as a check and balance City Council member who cares about 88 neighborhoods with a promise to vote with common sense on behalf of the residents of this great City.

Mayor Richard Caliguri, and the members of Council, old and new, can look back on the policies and voice their opinions for change...but it is the thinkers and the movers that will challenge the future with wisdom of the past so the tomorrows will enrich the lives of our people. The future is now...the rewards will follow, but we must...communicate, and we must have team work, as everyone has said this morning. Solid communication from all levels must open up. No one...no one has all the answers...in many cases the answers will not sit well with the majority of people in our City...and sometimes with the majority of Council...but that is why you and I live in the greatest country in the world, and that is reason why we must communicate. Open your minds...give your opinions...work hard to understand their views. 1988, should be the year we all work to communicate better. With better communications will come better progress...and better progress will bring better team work, and better team work will bring about a better system to polish the number one City in America.

The Wagner platform is simple. It represents hard work, dedication, and goals. My short range goal for the City of Pittsburgh, I referred to briefly before is Local Tax Reform. Without it the City of Pittsburgh will face a serious economic crisis in the near future. The tax reform package suggested my Mayor Caliguri to our representatives in Harrisburg is a good one. City Council, the Mayor and again I stress the

Pittsburgh School Board must work closely, together in this lobbying effort, at the state level to bring about local tax reform as quickly as possible. I have written the Governor, I have written the Lieutenant Governor, I have written every State Senator, I have written every Legislator for changes in the tax structure and I will commit to you that I will continue to lobby each and everyone of them in the near future. Changes in the state law would then permit appropriate recommendations for adjustments in local taxes including and we all are aware the four percent wage tax. However, I must stress again the four percent wage tax must be addressed jointly not only with City government but the Pittsburgh School Board that represents half of that four percent wage tax.

In addition to my short range goal I have a constant long range goal which always been and will continue until we solve the problem jobs for people in the City of Pittsburgh. First we must always strive to keep and maintain the jobs we have. I will drop anything I am doing to work with a company to keep their jobs in Pittsburgh. That's my number one priority as an elected official. This must be the Number one commitment from City Council. I commend the Mayor for doing that in the past with many companies and I commend Governor Casey, publicly for his efforts with Sharon Steel to keep that company alive. Our City Council must do the same with the Clark Candys', Unertl Optical's, and the Wheeling-Pittsburgh Steels'. Our theme must be, what the coach of the Pittsburgh Steeler's has said many many times, "Whatever it takes". A zoning change, a low interest loan or improved infrastructure-we must and I stress we must keep the jobs we have.

My long range goal and I believe the long range goal also must be

economic development. And our greatest economic development opportunity in Pittsburgh relates to our past its our rivers and our riverfronts. We found out just yesterday how important our rivers are to Pittsburgh. Thank God we have two rivers that provide a dependable source of water. We may be the only major City in America that has this asset. We must market our water and we must develop our 35 miles of riverfront property. In the past this has been steel mills, it has been railroad lines along the riverfronts and it has been manufacturing plants. In the future it must be condominiums, technology centers, festival markets, science centers, and marinas.

And it is no secret the one project that is critical to Pittsburgh's future is Riverside, as referred to by my colleague - A Festival Market adjacent to David L. Lawrence Convention Center that will bring 10 million people to Pittsburgh each year, millions in new tax revenues and at least 2,000 new jobs. We must break ground on Riverside in 1988. It is the catalyst we need for downtown and riverfront development in Pittsburgh.

We must also proceed, aggressively, with other important riverfront developments many of which the Mayor has spearheaded: Herrs Island, more commonly referred to now as Washington's Island and I've even heard Lower-Troy Hill as a possibility, Buhl Science Center, and the J & L Technology Center, and other. One other riverfront project I would like to see us pursue is something that hasn't been talked about Brunot Island. A parcel of land in the center of the Ohio River that now houses an idle power plant. The island is 3-times the size of Herrs Island and would make a magnificent condominium development project in the City of Pittsburgh. I have always said, "Give young people a boat

dock, just give them a boat dock and they will move back to Pittsburgh by the thousands." We need marinas and we need condominiums.

Last, but certainly not least, are our 88 neighborhoods and all of you know what my campaign theme was, "Who cares about 88 neighborhoods". We must develop economic programs to assist all of our 88 neighborhood business districts, because they are the heart and soul of everyone of the neighborhoods in the City of Pittsburgh. Just as the downtown is the heart and soul of this City. Those 88 neighborhood business districts are the heart and soul of those 88 neighborhoods. We must find ways to have economic development projects not just in the CD areas, but also in the Brookline's, the Carrick's, the Troy Hill's, and the Lawrenceville's. The neighborhoods that don't qualify for the federal funding, that is key to our future.

We have a great future because we have a great past and because we have great people. It has been my honor to represent you, the people of Pittsburgh, for the past four years, and it is my honor, my sincere honor to represent you again for the next four years.

I would like to just take a moment and mention three important ladies in my life, and I will be completed with my speech. First of all, my Mom is with me and I'd like her to please stand up, Laverne Wagner. Secondly, my wife Nancy, please stand up, and thirdly, sitting between the two of them my Aunt Marie.

Again, I want to thank the other members of my family, all my friends and all of you that have supported me and have stuck with me, and again I ask you to please stay in contact with me. My ideas are your ideas and they are the ideas of the future. Thank you very

much.

**The Chair:**

Thank you, Jack.

**Mr. Lyons:**

Thank you Madam President. When I first decided to run for City Council my campaign consultant Ron Kaiser told me that the first thing I had to do was to get a good organization and then get it into operation with a lot of workers and a lot of money. Well, we had a good organization but I really didn't like the part that I had to do with all of the operating. It seems like it was the doctor's and me who were doing all of that.

I don't know what words can tell you just how proud and honored I am today, and when I can say to all of you, to the voters of the City of Pittsburgh who elected me, to my friends and family who supported me, to the Minister's and their churches who prayed for me, to the doctor's and nurses who care for me, and most of all to our God who gave me another chance to do this bidding, I have a new strength and new resolve to be what I have always wanted to be, a Councilman for all of the people of the City that I so love.

I ask for your support and help. To all of you the only words that I can find, that I can say is thank you, and God bless each and everyone of you. Thank you.

**The Chair:**

Thank you, Otis.

**Mr. Coyne:**

Good morning ladies and gentlemen, as I take the oath of office as a Member of Pittsburgh City Council,



and make my first address as a member of this legislative body, I am humbled by the thought of the great opportunity and serious responsibility that so many good citizens of this City have granted to so few among them as their elected representatives.

Taking the oath of office is for me both an ending and a beginning. This oath marks the end of an exciting campaign for a position on City Council that began a year ago. The successful campaign that so many friends and supporters helped me to wage was the best way possible to meet with and listen to the citizens of Pittsburgh. It was a campaign that was well received by the Democratic City Committee, the press, and everyday Pittsburghers. It was a campaign well run and hard fought. Most importantly, it was a campaign that the residents of this City were willing to support with their vote to show the expression of their concern about the direction of City Council and City government, to all of those I am deeply grateful.

But today it is for me also a beginning, an important beginning. It is the first of many days to come upon which I am called to apply my energy, my experience and my dedication to do all in my power to advance the interests of our City, and to attend to those among us who need the helping hand of a compassionate government.

It is the first day on which the needs of our unemployed, our unskilled, our elderly, our youth, our neighborhoods and our industries become my obligation. It is an obligation that I eagerly accept.

Our City is facing many challenges. We elected representatives must demonstrate our resolve to make unprecedented decisions in times which

are equally as unprecedented.

We are to understand that the challenges of Pittsburgh especially in the areas of job and economic development have a significant impact on the whole region of Southwestern Pennsylvania. We must begin to realize that similar problems in our neighboring municipalities have a significant impact on our City. This realization must plant the seed of a more cooperative future between the City of Pittsburgh, Allegheny County, the State of Pennsylvania and the other municipal governments throughout this region. I am convinced that real solutions to many of our problems will only be reached through this kind of a cooperative effort.

We also live in an era when our political leaders are given high exposure but often fall short of the public's expectations. Too often City Council has not called upon the best in its members to fairly and firmly debate the issues, to vote each member's conscience and then to get on with the next matter of business.

The citizens of Pittsburgh who I met during my campaign do not want us to make headlines for the sake of headlines, or to debate personalities instead of issues. They want us to attend seriously and courteously to the City's business, and to the goals of our region. We must as a body earn their respect. Members of this Council need to be leaders, philosophers and teachers, as well as politicians.

As to the challenges of Pittsburgh, I certainly cannot and will not claim to have all of the answers. I will judge the issues on their merits and do what in my best judgment is in the interest of the City of Pittsburgh. I will treat each member of this Council and all of City government with respect, and expect in

return to get the same. Most importantly, I will remember that it is the people of Pittsburgh who have given me the opportunity to serve on this Council, and the responsibility to govern in their name. Thank you all, very much.

**The Chair:**

Thank you, Michael.

**Mr. Ferlo:**

I want to apologize to those of you who are standing ahead of time; I wish that my comments were as short as my height, but that's probably not going to be the case.

I want to say congratulations to Councilwoman Sophie Masloff, and I want to welcome Mayor Caliguiri, thank Judge O'Brien for swearing me in. Welcome members of the clergy, all the friends and family members who are here today, basically I just want to say to my colleagues and to the people of Pittsburgh...I say Good Morning and Thank You. Thank you for your vote of confidence and thank you for allowing me the opportunity to hold public office for the next two years. Time, this morning, does not allow me to list all the individuals and organizations that are responsible for my victory at the polls--in the endorsement process, in the primary, and in the General Election. I must point out, however, the uniqueness of our campaign effort because it was a truly broad-based coalition of people;

...there were union leaders and there were members of the rank and file;

...there were Committeemen and Committeewomen of the Democratic Party and others frankly who make up the life blood of that organization they were a key component of our campaign; numerous ward chairman and chair

officers came to my aid and I am most appreciative of their support.

...there were neighborhood leaders and there were block club activists played their part;

...police officers, paramedics, firefighters and their families actively supported my campaign;

...we have activist groups such as ACORN and the District Council Coalition proponents who were also there;

...despite my vocal support for the district Council movement Chairpersons from the 3rd Ward, and the 5th, the 12th and the 13th Wards supported me fully as one of the endorsed Democratic candidates as they did so many times in the past for the rest of the ticket;

...we received strong support from the liberal as well as the left community in the City of Pittsburgh. There are many issue groups playing a role with volunteers and contributors from such diverse groups as PAJE, ADA, NOW, NARAL, National Council of Senior Citizens, CBTU, the Gertrude Stein Political Club and the Rainbow Coalition. All of these groups see the potential of Council as a legislative and policy setting body which can respond, in some measure, to their concerns...they trust that I will articulate issues in a new and forthright manner.

...strong and visible support came from elected officials such as our City Controller Tom Flaherty who is here with us today, State Representative Tom Murphy from the North Side and Councilman Jack Wagner. Other good Democrats such as Treasurer Jay Costa, Representative Ivan Itkin and Council President now Sophie Masloff gave me strong support.

...over 500 separate individuals and families contributed money to my campaign. 300 Ferlo volunteers added to the strength of the Committeepeople at the polls this past May. 200 friends door knocked their neighbors in voting

districts throughout the City. They distributed close to 100,000 pieces of literature. Our campaign quite frankly was grass roots to the core. It was a people to people effort with all kinds of people working together. It's what Pittsburgh is all about. Pittsburgh is also about people and neighborhoods living together in harmony. Some will argue that the separate incidents of racial violence in Point Breeze and Morningside were isolated incidents. The important issue is that we can never let even one incident be tolerated or allowed to gain acceptance. All of us—especially those of us in public positions—must speak out adamantly against racism, anti-Semitism, and other forms of bigotry—in any expression or manifestation. We are a city rich with the achievements and heritage of all who came to this country—willingly or unwillingly—seeking a better way of life. We must learn to work together—Black and white alike—our city's survival and well being is at stake—and a future we must all share deserves and demands nothing less than tolerance, cooperation and mutual respect.

I hope that the character of my campaign will influence and set the pace for future campaigns under the new District Council system.

I have some immediate concerns. I hope citizens will call on me to add their voices to these and other issues:

...having approved the creation of the Public Safety Department, I believe very strongly that Council must now provide some oversight on its effectiveness to date...I am particularly concerned about the closing or the alteration of the operations at the No. 4 Oakland police station. I'm particularly concerned about the effectiveness of the first responder program. We must review the efficacy and legitimacy of

testing procedures which have resulted in so many Pittsburghers—Black and white, male and female, being turned down from the Police Bureau. Our professional paramedic workforce should strongly achieve parity in both stature and benefits with their sisters and brothers in the police and fire bureaus.

...Council should not hesitate to debate Councilman Pollock's proposal regarding the lowering of our city's 4 percent wage tax...I am committed to developing a community consensus on the difficult decisions of where to reduce revenues, where to reduce services and where new revenues should or should not come from if state tax reform is not realized in the immediate future. Council itself must become a Grace Commission and better scrutinize city expenditures. All of Council should take a more critical—while constructive—look at the actions of Department Directors and Authority Executives on a whole range of issues. This is the mandate of our Home Rule Charter. Scrutinizing '88 spending I believe should enable City Council to rescind the proposed and unnecessary swimming pool fees and I will formally move for their abolition.

...I hope my election can in some way bolster support for the effort by unemployed Armour workers to re-open a meat processing company—their business plan is completed and I will work to ensure continued public support for this important effort to establish an employee-owned company that I feel will put people back to work, and it's very clear that Mayor Caliguri has been supportive all the way on this project.

...I am concerned and supportive of several projects now under way in the community.

For instance:

I strongly support Bloomfield-Garfield Corporation's effort to reopen an abandoned Giant Eagle under a new Market House concept in that community. It is unfortunate that Pittsburgh taxpayers helped to finance Giant Eagle's expansion of its warehouse in the West End when the result was both union-busting and the closing of many inner-city stores, causing many of our poor and elderly to travel great distances to shop at a supermarket. I will never vote to have public funds earmarked to development projects that contribute to union-busting in our city.

In addition to BGC's efforts, we have the effort of the Lawrenceville Development Council working to establish a small business incubator and the efforts of the Steel Valley Authority to explore the feasibility of making the South Side electric arc furnace productive once again.

I have recently been approached by the Minority Business Development Center which is working to establish a small business incubator in Homewood and I will work to assist them in this minority enterprise effort.

I am quite alarmed at the URA's policy of benign neglect, owning large sections of land in the Black community without a creative and community supported plan for its development.

We have great talent and developing expertise at the community level. Over the next few weeks and months I will work to meet with community and business leaders in each of Pittsburgh's neighborhoods and develop an inventory of their concerns and hoped for projects. I will work creatively and quite frankly politically to muster public and private resources to

support their agenda.

The recent report on the need for a regional economic strategy issued by the Working Group on Community Development should be formally reviewed by City Council through our public hearing and post agenda format. I will work with other Council members to host Pittsburgh's first Town Meeting here in Council Chambers in the evenings so people can come, this Spring where all of Pittsburgh can be invited to discuss these and related issues such as the wage tax debate.

Some time ago Mayor Caliguri announced his desire to create the Mon-Ohio Reconstruction Commission. I believe he hoped for inter-county cooperation and financing of major job creating projects. The plan was visionary and desirable but politically difficult for a number of reasons. Toward this end I will soon propose to the Administration a specific economic development project which I feel can be multi-county in scope, can attract private investment, will be of long term economic value, with the potential to create at least 500 decent paying jobs for Pittsburgh residents.

...I will soon raise for public debate a JOBS POLICY ORDINANCE that would require that development projects receiving public funds in Pittsburgh result in guaranteed hiring of at least 50 percent city residents. Our Renaissance should more directly benefit Pittsburgh residents who are badly in need of work and an opportunity to provide for their families. While some may view this as parochialism on my part I will do everything I can in the next two years to make Pittsburgh City and School Board tax dollars benefit Pittsburgh residents, Pittsburgh neighborhoods, and Pittsburgh-based businesses; especially those in moderate and low income

communities. On a related matter, everyone who works for our City, our School Board, and our public authorities should be residents and taxpayers in the City of Pittsburgh. With unemployment so high in our city—especially among our youth, and this falls most heavily on minority youth in the city—I can see no reason for a non-city resident to be recruited to the city workforce.

New ideas are needed in the area of public housing policy. Rather than tear down Allequippa Terrace I would suggest that we explore a model project whereby residents and tenants in that community develop the capabilities and skills to manage and operate their own community. I find it disturbing that an Authority Director continues in his refusal to meet with community representatives who have legitimate concerns about that agency's policies. We have been too quick to tear down housing in low income and working class communities. We need to promote public and private dollar investment to improve a housing stock in low and moderate income neighborhoods while at the same time providing jobs for the unemployed. Our economic development strategy should include reinvestment in neighborhood housing and community services. Surplus state dollars should be earmarked to investment that takes place in these targeted neighborhoods.

No one in our city should have to go to bed hungry or be in need of shelter. I will learn more about the efforts of the Mayor and the Administration to deal with this crisis and they've done a lot, and if need be I will propose a re-direction of public and private resources to address this calamity.

Throughout our Home Rule Charter we have expressions of Council's independence and the need for creative

citizen input into decision making at all levels of government. All of my background in the community will not be forgotten and I have some unique ideas on how citizen input can be expanded and made more meaningful. My experience on the picket line will not be forgotten and I will continue to speak out on the just concerns of labor and working people in our city.

My roots and upbringing are working class. I grew up with ten sisters and brothers. We didn't have much but we were thankful for what we had. My upbringing and my beliefs have greatly influenced my view of the world. I believe we should build a society that places people before profits and greed. I feel very strongly that Municipal officials have a responsibility to speak out on wasteful and outrageous military spending which has produced an American economy that is uncaring, debt-ridden, non-productive and one that has robbed local governments of badly needed revenues.

I am committed to being a full time Councilperson. I promise to work hard at my job and treat the concerns of individual constituents with as much priority as I would those presented by groups and organized interests that come before this body. If I can help, I will. If it is not within my power to help I will tell you that up front.

In closing, I would like you all to meet some of my family members who were able to be here today, and since I have a big family there's just a few people here...I guess the person whose made all this possible she's even shorter than me and our Honor here today and that's my mother Isabella, also enjoined here today by my sister Carol, my sister Aqualina who likes to be called Lyn, and I hope you all join me in welcoming a new Pittsburgher whose hopefully paying

the four percent wage tax, this is a relative and a new Pittsburgher to our city, he's the Reverend Dr. Roger Ferlo—other than a few months ago the last time I saw Roger was in tenth grade and he's now a city resident, he's here with his wife Ann and his daughter Elizabeth and he's assumed his duties as Pastor of the Church of the Redeemer in Squirrel Hill, and I welcome here to the City of Pittsburgh.

People of Pittsburgh, in closing and to all of you who have assembled here today, THANK YOU!!

#### The Chair:

Thank you, Jim.

In addition to our honored guests, family of our Council people, clergy who have all been introduced, I want to add to the introductions: Controller Tom Flaherty, former Council member and President Bob Stone, and former Council member Jim Lally.

The Chair now wishes to announce the appointment of the Chairwomen and Chairmen of Standing Committees of Council as follows: Committee on Finance - Mark Pollock; Committee on Public Works - Ben Woods; Committee on Planning, Housing and Development - Otis Lyons, Jr.; Committee on General Services - Michelle Madoff; Committee on Water - Jim Ferlo; Committee on Parks and Recreation - Michael Coyne; Committee on Public Safety - Jack Wagner; Committee on Engineering and Construction - Eugene DePasquale; Committee on Hearings and Cable - myself, Sophie Masloff.

Also, the appointment of Council members to the Board of Trustees of Carnegie Library: Jack Wagner, Mark Pollock, Otis Lyons, Jr., and myself, Sophie Masloff.

Also, one member to the Board of Trustees of the Buhl Planetarium: Michael Coyne.

#### MOTIONS AND RESOLUTIONS

##### The Chair:

What is the pleasure of Council with the respect to the adoption of the Rules of Council?

Mr. Pollock moved that the Rules of the proceedings of Council be adopted as the Rules of this Council.

Mr. DePasquale seconded the motion.

Which motion prevailed.

##### The Chair:

We are honored this morning to have with us Rabbi Walter Jacob, of Rodef Shalom Congregation, who will offer Benediction.

##### Rabbi Jacob:

Lord, our God, we are grateful to you for your gifts of dedication and leadership to this our Mayor, to our Council, and to the officer presiding over that Council. We thank you for all your blessings and we ask your gifts of insight, wisdom and creativity upon these men and women who will lead us in the years to come, as they represent a City diverse, so may they also represent a City with a inner-harmony. Bless us in the year at which we have entered so that the optimism and hope expressed on this day may bring us into a good new year. Amen.

##### The Chair:

I will now entertain a motion to adjourn this meeting.

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And on the motion of Mr. DePasquale

Council adjourned.

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research.

2. The second part of the report is a detailed description of the methodology used in the study. It includes information about the sample size, the data collection methods, and the statistical analysis techniques.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, January 11, 1988

No. 2

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, January 11, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

Before we begin, I want to comment briefly on a change of Committee assignments that I have made, specifically those involving the

Committees on Water and General Services. I want to make it clear that the switch of Councilman Ferlo from Chairman of Water Committee to General Services had nothing to do with his ability to serve in that capacity. I have the utmost respect for his competence and to do a responsible job in any task that is presented to him as a member of Council.

My sole reason for the change was that I had indicated to the senior members of Council that I would try to accommodate them in their preferences as Committee Chairpersons. Councilmember Madoff asked that her Committee assignment be changed from General Services to Water and I acceded to her wishes.

Mr. Ferlo, I want you to know that I have the utmost confidence in your ability.

**Mr. Ferlo:**

Thank you.

**Michelle Madoff:**

Mrs. Masloff, may I comment?

**The Chair:**

Yes.

**Michelle Madoff:**

I want to congratulate you on the fact that when you became President of Council you let everybody's committee

remain as it was and did not change anybody. I'm sure the Administration would have liked to see some changes but you were your own person and you did your own thing.

I would like to inform Council that when we were discussing other matters prior to the announcement of who would have what committee, I had asked you for Water weeks ago and you thought I was joking. I was very serious. I feel that Water provides me a lot of time to do a lot of other projects that I'm in the middle of doing. I did not anticipate when I had asked you for Water that we would have this spill.

I also would like to congratulate Councilman Ferlo; I thought the meeting he convened was very productive. I think that he will be very helpful to me in Water and I would hope that he would help in the same way that anything that he is interested in working on, that I will offer my services as would other members of Council.

I just wanted to get that straight for the record. It was not a change that happened before or a request from me after the fact, but a request from me to you prior to the fact of the appointments but you thought I was joking.

#### The Chair:

Yes. Hereafter, the resolutions that are going to be read and adopted will all be before the meeting starts and I'm asking Councilpeople to limit their resolutions to three. We will have no more than three each Monday meeting. Any that come in after the number of three will be held over to the following week. This week we have two and they're both presented by Councilwoman Michelle Madoff. Would you present the, please.

#### Michelle Madoff:

I wonder if Lou Gaetano is in the audience and would he please step forward.

As you know, my background is in environment and energy and occasionally I do a little consulting in that field. I was not aware of what a tremendous job was being done by the City of Pittsburgh in an area that I think we're going to find very surprising. I picked this up in the newspapers and I was sort of overwhelmed.

#### Michelle Madoff presents

No. 40 WHEREAS, Public Technology Inc., a non profit research association of the National League of Cities, has awarded the City of Pittsburgh's Department of Public Works, under the direction of Director Lou Gaetano, for entering a program which will save the City money through the installation of 28,000 new street lights; and

WHEREAS, Pittsburgh was one of only 13 cities and counties recognized in awards given this month by Public Technology, Inc.; and

WHEREAS, the City will save \$1 million annually in electricity costs by replacing the present mercury street lights with the new energy-efficient sodium lights; and

WHEREAS, this program began in August, 1987 in the West End Area of the City and has reached the North Side, and in five years the entire City will have the new energy efficient lights; and

WHEREAS, the City of Pittsburgh will not have to borrow money to pay for the lights because replacement and installation costs are being paid for by

the contractor, General Electric Co.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks and commends Director Lou Gaetano of the Department of Public Works for his skill, insight and commitment towards saving money for the City of Pittsburgh by moving forward in the field of improved technology.

**Michelle Madoff** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Gaetano:**

First I'd like to thank Mayor Caliguiri for supporting it and also for the help of Mina Gerall, Jack Wilson and Rege Recker. Thank you very much.

**Michelle Madoff:**

For the next resolution I'd like to have the immediate world here please. I don't know if someone is here from the Governor's Office; we tried to get someone here. Is there someone here? We tried but we could not. Okay, but we'll send the award to him.

Would the Western Pennsylvania Water Company step forward, please? John Rosa. Duquesne Light representative, Tom Slavonic; Dan Sciuolo Co. Inc., Angelo Sciuolo; Chester Engineers, Don Bertram; Pennsylvania Department of Environmental Resources, Terry Fabian; Water and Sewer Authority, Richard Cosentino; Department of Water, Alex Sciuoli; Department of Public Works, Lou Gaetano; Department of Public Safety, Director Glenn Cannon, Lou DiNardo and Fire Chief John Lahey; Department of

Engineering and Construction, Dave Borenman and Robert Baumgardner; American Red Cross, Sandra Kelly.

We didn't get everybody. I have to tell you, it's very difficult. I want to read the resolution and then make a little quick statement.

**Michelle Madoff presents**

No. 41 WHEREAS, a massive petroleum spill occurred on or about January 2-3, 1988 at the Ashland Oil Company facility in Jefferson Borough, Allegheny County, Pennsylvania which resulted in the release of large quantities of petroleum products, first into the Monongahela River and then into the Ohio River affecting communities in a vast region, causing a gross reduction of water services and severe damage to the aquatic environment; and

WHEREAS, City, County, State and Federal resources have been marshaled to deal with one of the worst inland water waste spills in the nation's history; and

WHEREAS, members of the private and public sector, working around-the-clock in bitter cold weather, performed above and beyond the call of duty by providing essential services under dire conditions; and

WHEREAS, Governor Robert P. Casey, representatives from Western Pennsylvania Water Co., Duquesne Light, American Red Cross, Dan Sciuolo & Co., Inc., Chester Engineers, the Department of Environmental Resources, the Water & Sewer Authority, and the City of Pittsburgh's Departments of Water, Public Works, Public Safety and Engineering & Construction, should be commended for their assistance in providing tank trucks, fire prevention services and for completing months of

work in a matter of days with the coordination and installation of a pump station which will provide up to 8 million gallons of water a day to affected City and suburban area customers.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh commend these individuals as well as all other governmental and private agencies involved in this recent episode for their untiring efforts to insure a sufficient quantity of water during this crisis to preserve the safety, health and welfare of a large number of citizens.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Michelle Madoff:

You know, numerous other groups worked hard and diligently, including the Coast Guard, the County Public Works Department, but mostly men and women who were the ones on the jobs, some for as long as 48 hours without sleep because I was out there with them, not for a very long time but I saw people who had been working on three shifts without sleep. People were giving them coffee and the neighbors were being kind to them but they were really doing the job. You could see their faces, really the commitment of people in our community that come out in the time of need. These are truly the unsung heroes and the heroines who brought together the communities and contained the effects of this gigantic spill.

I thank all of you and members of the community say thank you, thank you, thank you. I speak for the community.

Before we have any discussion, if I may, I would like to have somebody from West Penn Water, John Rosa or Robert Robowski, would you tell very briefly, in 25 words or less, what happened and what you were able to do.

Mr. Rosa:

I don't know that 25 words or less will take care of it but I'd just like to express my sincere appreciation and gratitude to all of the individuals that were so cooperative in our effort to finish construction of our Allentown booster station from four months to three days. That includes Duquesne Light Company, the City of Pittsburgh, all departments within the City. And I'd just like to express my sincere appreciation to everyone.

Mr. Slavonic:

We had overhead and underground crews working around the clock on Monday night after the oil spill that connected the power up to the new Allentown booster station. We got it on-line within 24 hours after the request.

Mr. Sciallo:

Our company assisted the City Water Department and the others involved in the laying of the 12 inch line so that the water could be transferred from the City to Western Pennsylvania.

Michelle Madoff:

How many people worked and how long did it take?

Mr. Sciallo:

We worked around the clock for approximately three days and the number of people, I think, was probably a dozen or so.

**Mr. Fabian:**

Our activities really involved two facets; number one, continued investigation of the spill and the adverse environmental impact as well as working with the water companies and getting their water intakes and water treatment plants back on line. It's significant that we had to staff three emergency operation centers down at Ashland Oil Company, here in Allegheny County and also up in Beaver County. A lot of employees who worked a lot of long, hard hours, including our operations engineer and our water supply program, Dave Plank, who put in 40 hours straight working with the water companies to get the treatment facilities back on line.

So, it's my heartfelt thanks to the City and to everyone who cooperated with the Department and all of the other agencies in this effort and the fact that it's not myself or any one individual with the Department who worked on it but really the staff or the public servants who served you very well in this case. Thank you.

**Michelle Madoff:**

From the Department of Water, Alex Sciulli, the first Water Director I've ever liked in nine and a half years. I should say respect rather than like.

**Director Sciulli:**

Welcome back, Michelle.

All the other directors are up here but basically I just want to name a couple of people in the Water Department who were very instrumental in making this a success; the Assistant Directors, Tom Bruecken, Jim McNamara and Ed Blair and Clarence Perkins and also special thanks to Donna Sagmeister and Ray Wisloski. Thank you.

**Mr. Gaetano:**

I'd like to thank all the people from the Department of Public Works and all the employees who did come out in that cold weather. I thank you all.

**Mr. Baumgardner:**

Our involvement was with the pumping station at Knox Street and we worked with the Water Department in getting the pumping station started. We were really concerned about the effect it would have on the Pittsburgh system, so we spent a little time at the pumping station getting it under operation.

**Ms. Kelly:**

As you may know, disaster relief services are one of the two congressionally mandates services provided in this country by the American Red Cross. Unfortunately, we've had a lot of practice here in Pittsburgh lately.

We were please to be of assistance in this particular incidence. Shortly after the tank collapsed we opened a shelter at the Thomas Jefferson High School; we had about 50 folks who were there overnight. We thought it was over until Monday evening when we opened the second shelter at the David Lawrence Convention Center. Fortunately, we had no one as a direct result of this incident who took advantage of the shelter.

We have been open at our chapter, have a command center there, and have had it open since the incident occurred, have taken hundreds and hundreds of calls and really pretty much coordinated with the EOC all kinds of offers for water and kind gifts of containers and water and services, volunteers. We just have been there to help in any way that we can. We're really pleased and thank

you very much.

**Michelle Madoff:**

We have three more people to call up but I'd like to make one last thank you.

I think very frequently we get zapped by the media, and probably we deserve it, sometimes we don't deserve it, but I think the media did really a tremendous job. They covered from its inception of the problem. I must tell you I found out about it watching CNN. They were people who really and truly covered every angle and are still working on the problem and I think many of them, I'm sure, were working around the clock to cover the situation.

It's particularly important that we have a good news media when this was a national news story; it was not just a local story. And I personally want to thank them.

Also, I would like to have Glenn Cannon from Public Safety, Lou DiNardo and Fire Chief, John Lahey come up and we'll wind this down. But my real thanks to all of you very much.

**Director Cannon:**

Thank you, Michelle. I'd just like to say on behalf of the men and women in the Department of Public Safety that we are very pleased to be honored today and when we say thank you it goes to all these you have in this line here that let us be able to protect the citizens of our City and in particular when we called Public Works in the middle of the night they all got out of bed and responded, as did the Water Department. Our hazardous materials team was out there long before any other City workers doing an outstanding job trying to stop that. But our Bureau of Fire pumped water for

over 100 hours continuously into the West Penn system and the West View system to make sure that they had some water in there. As you know, the weather deteriorated and that was an outstanding accomplishment.

**Chief Leahy:**

Thank you, Michelle. I'd like to accept this on behalf of the members of the Bureau of Fire and especially the individuals who sat around the clock, 24 hours, on the four engines supplying West Penn and the ones supplying West View water, as well as the Public Works Department, the Water Department and General Services who supported us continually and made sure that our vehicles were fueled and operating at all times.

As the temperature changed, it created quite a few problems for us but as a result of everything working well and the support that we were receiving as part of the Public Safety system, it worked excellent as far as we were concerned. And we believe that the cooperation from all the departments and agencies that were involved made it a successful operation. Thank you.

**Michelle Madoff:**

I really was remiss. This is not really a resolution from Michelle Madoff to all these wonderful people and department heads who work for us. It's really, I am sure, a joint resolution from all of Council including the new President.

**The Chair:**

Yes, thank you.

I want to tell you a true story. Many people have called the Zoo and asked what the water buffaloes had to do

with the water. It's true.

**Mr. Wagner:**

I also would like to compliment all the people here today for the excellent work they did and the people that all of you represent in City departments, water companies, authorities and private companies and also various organizations. I know Councilwoman Madoff has not been remiss; there is also many other organizations involved.

**Michelle Madoff:**

If you think of anybody I forgot, please mention them.

**Mr. Wagner:**

A few I can think of are Meals On Wheels; those people took lots of water, gallons and gallons of water, to shut-ins not only in the City but also outside the City, both Stroh Brewery and also Adolf Coors Company provided tank trucks to supply water to the region, the Salvation Army certainly was extremely involved; I saw them out and about just about everywhere. Cameron Coca Cola donated some of their services and obviously the members of the public that conserved water probably did the most and played the most important role during the emergency crisis. In addition to the media, and the media did, as was indicated, an excellent job on continual coverage both written, visual and the verbal media, constantly was on the air telling us the status of the situation.

But last and certainly not least, I want to compliment people that are not here that I think made all of this possible and it's the people that designed the Pittsburgh water system, the people that designed it decades and decades ago. They designed a system that is an exceptional, a cadillac system in the

industry. Our system has tremendous capacity for lots and lots of water and without that over capacity that the City of Pittsburgh has we could not have supplied West Penn Water with water and West View Water with water and also various tank trucks in many other ways of supplying water. So, that capacity, I believe, gave all of us the ability to do the job and I certainly want to compliment those people. And when I say those people, I mean past Administrations, past Directors of the Water Department, various engineers that were involved in the design of this system. They did a service to this City decades ago that we're just realizing the potential of today.

Certainly last but not least, I hope the word goes out to say that the City of Pittsburgh has a lot of water and we want to sell it. We want to sell it to anyone that wants to buy the water because we have large quantities and high quality of water. And that's something we want to aggressively do in the future and in doing so we can reduce the cost of water to people that live in the City. I believe this is an excellent time for us to begin to do that aggressively because certainly we could not have helped out if we didn't have the water.

**Michelle Madoff:**

I would like to add to that, if I may, and I beg the indulgence of our President. One of the things that I think Jack may want to share with you is that there was a meeting Friday morning of the Water and Sewer Authority. I talked to Jim Roddey about creating a grid in this area, sort of like the Health Department and the Air Pollution Bureau. We need a metropolitan system of water where they can interconnect at any give time. I think that has got to be one of the paramount issues that the

Water and Sewer Authority is going to continue addressing and I believe the issue was raised on Friday.

**Mr. Pollock:**

I've always said that the danger in these mass resolutions is that you're always going to overlook somebody. I know the Dravo Corporation also hauled water at their expense, at no charge, and I'm sure we're missing a lot of other companies that also pitched in and maybe aren't being recognized.

I think we also, as much as it might sound ironic, we also should thank Mr. Hall, the President of Ashland Oil, who has cooperation fully, to my understanding, with all authorities, has been totally candid about the problem and about admitting liability. He stands ready, willing and able to satisfy all claims and I think that, in this era of massive liability and lawsuits, for him to be as candid as he has is truly an uncommon thing.

Finally, I think that we should also point out that much of what Director Cannon and Lou Gaetano and Director Sciulli's departments did, and other departments of the City, was not only for the benefit of the City but for the entire metropolitan area, and even other areas down river. It's times in crises, like the Shaler flood a year or so ago, that the City comes in to bail out the boroughs and townships and I just want to point this out, that it's a two-way street and that when we have our problems, and most of the time it's fiscal ones, that we need their help as well. We're all in this together.

**Michelle Madoff:**

Overheard in the suburbs at a meeting that one of my administrative assistants attended was someone saying,

"We ought to be supporting the City with some money." This only goes to prove that when we had the water it was fortunate for the City of Pittsburgh that it was on the Monongahela, not at the intake on the Allegheny.

**The Chair:**

Is there any further discussion? Now we'll move on to our regular order of business.

**PRESENTATIONS**

**Mr. Coyne presented**

No. 6 Resolution providing for a license to Duquesne Light Company to install, use, operate, maintain, repair, renew and finally remove at its sole cost and expense, two (2) poles, together with crossarms, cables, wires, guys and other necessary appurtenances thereto belonging, upon, over, along, across and through certain property of the City of Pittsburgh situate in the 26th Ward, designated as Block and Lot 76-D-1, in connection with electrical service to Riverview Park

Which was read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 7 Resolution providing for the issuance of a warrant in favor of Gannett Fleming Transportation Engineers, Inc. in the amount of \$18,900.24 in partial payment of an Emergency Contract to design a tieback wall to stabilize the conditions of distress within the south approach embankment, above and below Melwood Avenue; at the Bloomfield Bridge Project Site, payable from the Bloomfield Bridge Trust Fund. (PRIOR APPROVAL FOR THE ENTIRE AMOUNT OF THE CONTRACT (\$45,000.00) WAS



**GRANTED BY COUNCIL ON JUNE 23, 1986)**

Which was read and referred to the Committee on Finance.

Also,

No. 8 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Anthony Kubit to attend the Mid-Atlantic Institute of Transportation Engineers' meeting at the Holiday Inn in Grantville, PA, December 10, 1987, at a cost not to exceed \$260.00, payable from Code Account No. 1482, Miscellaneous Services, Department of Engineering and Construction. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 9 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of \$646.03 in favor of the "National Academy for Professional Driving" for payment of materials to be used in the City's "Hands-On Driver Training Program", not covered under contract. Funds are available in Code Account 1147, Materials, Department of General Services.

Also,

No. 10 Resolution amending Resolution No. 936, effective December 11, 1987, entitled: "Providing for the issuance of a warrant, without previous authority of law, in the amount of \$36,000.00 in favor of Mon Valley Petroleum for payment for the purchase of fuel for the initiation of the "Gascard

Total Fuel Management Program," not covered under contract. Funds are available in Code Account 1144, Gasoline and Diesel Oil, Department of General Services.

Which were read and referred to the Committee on Finance.

Also,

No. 11 Resolution amending Resolution No. 281, effective March 30, 1987, entitled, "Providing for the letting of a Contract or Contracts for the furnishing and delivery of Motorized Fire Equipment for the Department of General Services", by increasing the amount from \$500,000.00 to \$711,000.00, payable from the Capital Project Fund GS87-01, Fire Department Pump and Ladder Trucks, Department of General Services.

Also,

No. 12 Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled: "Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program, by increasing a line item and by adjusting the Summary Totals. GS 87-01, Fire Department Pump and Ladder Trucks, Project authorization is being increased by \$211,000.00 to cover the cost for the purchase of a foam pumper truck. Funds are available in Code Account GS 87-01.

Also,

No. 13 Resolution providing for a Professional Services Agreement or Agreements for consultation on "Underground Storage Tank Management" at the City's Garage Facilities at a cost not to exceed

\$60,000.00, payable from Code Account 1128, Miscellaneous Services, Department of General Services.

Also,

No. 14 Resolution providing for a Professional Services Agreement or Agreements for the direct purchase of natural gas for use by City facilities at a cost not to exceed \$10,000.00, payable from Code Account 1134, Miscellaneous Services, Department of General Services.

Which were severally read and referred to the Committee on General Services.

**Mr. Lyons presented**

No. 15 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing: From "R4" Multiple-Family Residence and "M3" Light Industrial Districts to "S" Special; "R2-T" Townhouse Residence; and "M1" Limited Industrial Districts certain property generally bounded by CALIFORNIA AVENUE; MARVISTA STREET; UNIONDALE CEMETERY; and BRIGHTON ROAD, 21st and 25th Wards.

Also,

No. 16 Resolution approving a Conditional Use Exception under Section 993.01(a)A(44) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to use the existing structure located at 362 SOUTH NEGLEY AVENUE by Abraxas Foundation, Inc., as a Group Care Facility for 17 youths with full-time adult supervision, 8th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 17 Resolution providing for the issuance of a warrant in favor of Marion A. Monheim, in the amount of \$1,600.00 for consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

**Michelle Madoff:**

Point of order. That money is not money being paid for out of the City Clerk's Office. The procedure is when anyone hires a consultant, for the new members of Council, you transfer your own money over to Mr. Perry and then he pays the money to the consultant. It is not additional funds.

**The Chair:**

We do have a fund, though, for consultants and for solicitors.

**Michelle Madoff:**

Yes, but this is a separate fund; it has nothing to do with our consultant fund. This is a consultant that I've hired and I need to pay her, but the mechanism for paying is to transfer the money to the City Clerk and he then pays. It is not additional funds; it is out of my stipend for my staff.

**Mr. Pollock presented**

No. 18 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$788.89 to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year

1979, pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act of August 9, 1971.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 19 Resolution amending Resolution No. 846 of 1987: "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account" by deleting the names of individuals holding certain City of Pittsburgh positions.

Also,

No. 20 Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller in the amount not to exceed \$65,000.00, chargeable to and payable from Code Account 1048, Miscellaneous Services, Department of City Controller.

Also,

No. 21 Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program at a cost not to exceed \$30,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 22 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees at a cost not to exceed \$65,600.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 23 Resolution amending Resolution No. 782, (Items C & F) approved October 6, 1987, authorizing the sale of properties in various Wards of the City of Pittsburgh. The reason for the above Amendment is to correct errors as listed below: Item C - Sale of lot at 1343 Montezuma Street, 12th Ward, Block & Lot 173-E-106, to George M. Griffin & Sabrina Griffin, his wife, for the sum of \$450.00. Corrections: Lot size should be 34.66 X avg. 100.66 X 18.38 instead of 34.66 X Avg. 100.66 X

18.33, and the Treasurer Sale number should be 1212 D instead of 1212. Corrections for both the Proposal and the Resolution. Item F - Sale of 2 Sty. Brk. hse. 13th Ward, Block & Lot 175-B-89A to Albert Earl Taylor, for the sum of \$1,500.00. Correction: Address of property should be 7445 Rear Cassina Way instead of 7445 Cassina Way, as recorded on the Resolution.

Also,

No. 24 Resolution Repealing Resolution No. 902, Item F, approved October 13, 1986, which authorized the sale of property in the 16th Ward, being a 2 Story, Brick house, located at 145 Rinne Street, designated as Block 13-S, Lot 38 to Patrick J. Goslin, for the sum of \$5,000.00. The reason for the above repealing Resolution is that the former owners are in the process of redeeming the property.

Also,

No. 25 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 26 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the Annual Meeting and Urban Job Training Council in Washington, D.C. January 20-21, 1988, at a cost not to exceed \$600.00, payable from the JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 27 Communication from Melanie Smith, Director, Department of

Personnel, requesting authorization for Barbara King to attend the PA Hall of Fame of Champions of Older Workers Council meeting in Wilkes-Barre, PA, December 10, 1987, at a cost not to exceed \$320.00, payable from the JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 28 Communication from Mark Pollock, amending the Rules of Council by deleting a portion of Rule VIII(a) which requires that printed copies of bills to sent to each Council Member's home at least 48 hours prior to Regular or Special Meetings and inserting "Printed copies shall be delivered to each Council Member's Office."

Which was read.

Also,

No. 29 Resolution supplementing Resolution No. 1093 effective December 31, 1987, entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1988" by adding the following sections to the other authorization language to allow the 4 percent wage increase for non-union employees and elected officers.

Which was read and referred to the Committee on Finance.

**Mr. Pollock:**

I make the motion to consider the bill on the four percent wage increase for non-union employees and elected officers today, in Accordance with Section 318 of the Home Rule Charter.

**Michelle Madoff** seconded the motion.

**The Chair:**

What is your amendment?

**Mr. Pollock:**

I was making a motion to consider;  
I haven't made my motion to amend yet.

**The Chair:**

All in favor of the motion?

**Mr. DePasquale:**

What is the motion?

**Mr. Pollock:**

The motion was to consider this, to  
vote on it today, to read it and vote on it  
today, under Section 318 of the Home  
Rule Charter.

**Michelle Madoff:**

And I seconded it already.

**The Chair:**

This is just to pass this today due  
to the fact that this is an increase in  
wages. We have to pass it today in order  
to give the employees their increase. It  
would be too difficult to go back.

**Mr. DePasquale:**

Point of order, Madam Chairman.  
If we don't consider this bill today, is it  
automatically law or what?

**The Chair:**

No, it will just go into Committee.

**Michelle Madoff:**

Clarification on why we're  
considering it today. I believe, in  
conferring with my colleague, that every  
day we delay, it costs the City more  
money and if we do it today it will save  
us money.

**The Chair:**

It would be impossible for the  
Payroll Department to go back  
retroactive if it's paid today. It would  
have to be done manually. So, they want  
to pass it today so that it can go through  
the computer. That's the purpose of  
acting on it today.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on  
the motion?

And on the question, "Shall the  
motion pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mrs. Masloff    |
| Mr. Lyons      | (Pres't)        |

AYES 7                      NOES 2

(MR. WAGNER AND MR. WOODS  
VOTING NO)

And a majority of the votes of  
Council being in the affirmative, the  
motion passed finally.

**Mr. Pollock:**

Now I make a motion to amend this bill, this resolution, so as to delete the elected officers, specifically only the members of Council, from consideration from the four percent raise. So, only the City Controller and the Mayor would be left in.

**The Chair:**

For the purpose of discussion is there a second?

**Michelle Madoff:**

I will second it but I'd like to further amend it. I have a problem. I do not wish to exempt the Controller from this.

**The Chair:**

He wasn't mentioned. We're just deleting the members of Council. The Mayor and the Controller are staying in. The amendment only deletes members of Council.

**Mr. DePasquale:**

Point of order, Madam Chairman. You have a motion on the floor and a second. She's getting into another motion.

**The Chair:**

Roll call vote on the motion.

**Mr. DePasquale:**

Wait a minute. Did Mr. Pollock say he's deleting the Mayor and the Controller?

**The Chair:**

No.

**Mr. DePasquale:**

No, not deleting the Mayor and the Controller. He's talking about only deleting City Council.

**The Chair:**

Yes, that's the amendment.

**Mr. Wagner:**

I would like an explanation of the amendment.

**Mr. Pollock:**

It's kind of self-explanatory. The way the legislation has come to us, the resolution would include all non-union employees and elected officials which are the Mayor, the City Controller and the nine elected members of Council. My motion to amend would delete the nine members of Council and would leave in the bill the non-union employees, the Mayor and the City Controller.

**Mr. Wagner:**

I have a further question. Has there been a list provided to this Council as to who all these non-union people are and the titles of those positions?

**The Chair:**

No, there has not but we all know who they are. I mean, there is a list of them. The Personnel Office probably knows who all the non-union members are. Those are the ones that are going to be considered.

**Mr. Wagner:**

My question is, why hasn't a list been provided of all those job titles in various departments.

**The Chair:**

We probably could provide it for you later, but not at this moment.

**Mr. Wagner:**

But we are going to vote on this bill today, final vote.

**Mr. Lyons:**

Madam President, in accepting the budget of \$293.3 million, was the raises for everyone included in that figure?

**The Chair:**

Yes.

**Mr. Lyons:**

So, in other words, we have already passed the overall picture for Council and everyone to get the raise by accepting the budget?

**The Chair:**

Yes.

**Mr. Lyons:**

My point is made clear.

**Mr. DePasquale:**

Point well taken.

**Michelle Madoff:**

May I respond, Madam President? We were told at the time that we could not actually vote on the amount or even vote affirmatively to accept our own raises unless and until we met the Home Rule Charter referendum, that it was passed, that we were, as Councilmembers and as elected officials, tied in to the raises. We just found out

what the raises are; the raises are four percent. They could have been three, they could have been ten; they are four. We have the option of accepting or denying ourselves the raise.

I previously had submitted during budget time a letter saying that I had changed my mind and did not want the funds until the issue of taxation reform passed in Harrisburg and that if I got the money I would give it back to the general fund so there would not be any question of I changed my mind because new members coming to Council said we wouldn't have it and there would be sufficient votes to defeat it. I think we just vote our conscience today and we're separating Council from the non-union and the union negotiated four percent increases.

**Mr. Ferlo:**

I disagree with the amendment. I see no need to separate all the elected officials; either we're going to approve across the board four percent for all elected officials, all eleven, or we're not. I see no reason whatsoever to make that type of a judgment.

**Mr. DePasquale:**

I agree with Mr. Ferlo but I want to take it a point further. I wish the maker of the amendment would explain why he's excluding the Mayor and the City Controller.

**Mr. Pollock:**

I'll be happy to explain it. I said publicly and I'll say it here in Council, I think Mayor Caliguiri, or any Mayor who is sitting in the Mayor's Office right now who is being paid only \$59,000 is vastly underpaid. In fact, it's an obscenity that the Mayor only makes this much money. When you look at how much the other

elected officials in this town make, whether it be Commissioners or Legislators or any other elected officials, their salaries are either higher or very, very close. And I'd say Mayor Caliguiri, the Mayor of the City of Pittsburgh, whoever it is, has a 24 hours a day, 7 days a week job and the duties and responsibilities of running this City with the population that we have demand a salary far in excess of \$59,000.

In addition to that, the City Council is in the position of setting the budget. I recently called for drastic cuts in the budget, for lay-offs if possible, for cuts in services, and that is why I feel that as an example and a demonstration of our good faith to cut the budget and to cut the wage tax, that Council should hold it's line on increases but that the Mayor clearly deserves a sizeable increase.

It should also be pointed out that the Directors, after this increase, will be making between \$55,000 and \$57,000. So if you have the Directors between \$55,000 and \$57,000, maybe even some \$58,000, and the Mayor is only \$59,000, there's something totally inadequate with that.

**Michelle Madoff:**

I might point out to my colleague that the Airport Director has always exceeded the salary of the County Commissioners. It sometimes relates to whom you can hire, what their skills and talents are.

I'm not sure that I agree with you; I think being Mayor is sometimes a lot easier than being on this Council. One of the services we offer is scapegoating and when you're a Mayor you have a lot of staff. Even though our stipend for staff has increased tremendously, I could use ten people in my office.

I'm not going to quibble about it because I don't think it's a major issue. I think the major issue is that Councilmembers do get \$33,800. We have tax reform pending. It doesn't look very good from the last thing I heard when I was with the Lieutenant Governor the other day. I think some of the issues you pointed out in your own observation and your estimates that even if we got everything the Mayor wanted, we're still going to be in big trouble. And when we talk about the non-union employees, you're talking about people, I believe, correct me, Madam President, people who are in \$17,000 to \$21,000. We're getting \$33,800 and we do have a lot more responsibility.

I'm willing to waive my raise until the tax reform is approved. Hopefully it will be and that it will generate at least some revenue. I don't think the Councilmembers who have to support their families, and if there are members of this body, I think there may be some, who support their family just on what they earn on Council. I don't know; I'm looking around to see if there's anybody like that. I have other income. I'm not being a heroine, I'm not making some great gesture. It's a very small gesture and a very insignificant gesture by my rejecting the raise. The original reason I had voted for it was that there were maybe particularly some new members of Council who will have to live and support families on their \$33,800. A lot of people may think that's a lot of money but when you're on call — You want to talk about being on call 24 hours a day, 7 days a week, ask the President of our Council; she knows what it's like.

I think we just ought to call the vote and vote.

**Mr. Ferloc**

I still say, Mr. Pollock, in your



consistency in your logic, you're saying that you're willing to bite the bullet and so you want to relegate that responsibility to Council; however, you feel that the Mayor and the Controller deserve the increase. I still don't see the consistency in your logic.

**Mr. DePasquale:**

Madam President, as you know, we have 31 days after the budget is closed to make any deletions or additions. This is the first time in all my 15 years on Council that we have ever had a motion to have a deletion, and it's just nine Councilpersons.

My other curiosity is, we have three departing members, not to mention their names right now, who voted on this issue and voted, I believe, in favor of it. We're undoing the action of the 1987 Council through the 1988 Council and I think it's illegal. Absolutely.

**Michelle Madoff:**

One last comment, if you will indulge me. I had raise the same issue that Councilman DePasquale is raising and I was told by then President Mr. Woods that I was wrong, that we couldn't vote on it and we'd have to vote on it after we got back. So now, based on that information, we are now voting on our salaries.

I'd like to make a suggestion that we vote on the four percent for the non-union employees separately, for the Mayor and the Controller separately, and for Council separately, because if one goes down, it may take everything with it.

**The Chair:**

No, it won't. The amendment will only delete the members of Council from

the bill.

**Michelle Madoff:**

I know but if people still want the Mayor to get his raise and the Controller to get his raise, then you would be defeating the four percent for the non-union employees.

**The Chair:**

If somebody wants to make an additional amendment to delete the Controller, you can do that. Make the motion.

**Michelle Madoff:**

I'm suggesting that we take the Controller separately, that we take the Mayor separately and that we take Council separately.

**Mr. Ferlo:**

There's an amendment on the floor.

**The Chair:**

Yes, there is an amendment on the floor, and that is to delete members of Council.

**Mr. Lyons:**

Madam President, amendment can never, by Robert's Rules of Order, take away from the motion; you can only add. Therefore, the amendment here is out of order.

**Michelle Madoff:**

Which amendment?

**Mr. Lyons:**

This amendment here, to delete. On an amendment to a motion, you can

never subtract from the original motion.

**The Chair:**

You can amend any motion.

**Mr. Lyons:**

No, you can't; not downward. You can amend it up but you can't amend it down. You cannot take away from your original motion.

**The Chair:**

Our Parliamentarian doesn't agree with you, Otis.

**Mr. Lyons:**

The House is out of order then because the amendment, under Parliamentary procedure, is that you can add to the motion but you cannot detract from the motion.

**Parliamentarian:**

The motion can be amended.

**The Chair:**

That's the final word. Now we're going to go with the amendment as made by Mr. Pollock. The amendment reads, motion to amend resolution, the four percent wage increase for non-union employees and elected officials by deleting the members of Council. That's the amendment.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne  
Michelle Madoff

Mr. Pollock

AYES 3

NOES 6

**VOTING NO:**

Mr. DePasquale  
Mr. Ferio  
Mr. Lyons

Mr. Wagner  
Mr. Woods  
Mrs. Masloff  
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Pollock:**

Now on the original bill.

**Michelle Madoff:**

Clarification. On the original bill, Madam President, does that mean that we all get raises?

**The Chair:**

We haven't voted on the original bill.

**Michelle Madoff:**

If the bill should pass, then everybody would get raises.

**The Chair:**

Yes.

**Mr. DePasquale:**

Point of order, Madam Chairman. You can now entertain Michelle Madoff's amendment.

**Michelle Madoff:**

Excuse me. I was in the middle of a statement, please. I was getting clarification from the President of Council.

As the present bill reads now, we will be voting on what? Would you be very specific because I would like to know what I'm voting on.

**Mr. Pollock:**

Would you like me to explain?

**The Chair:**

Yes, as Finance Chairman.

**Mr. Pollock:**

Without the amendment, we are voting on a four percent raise for all non-union employees, the Mayor, the City Controller and the nine elected members of Council.

I have a comment on the regular bill. As I stated a little earlier, I believe very strongly that the Mayor of the City of Pittsburgh deserves a higher salary than \$59,000. I also believe that the non-union employees should have fairness dictate that they receive an increase commensurate with their brothers and sisters in the City workforce. Accordingly, I will be voting for this because my amendment failed, but should it pass, I will turn back the increase in salary to myself to the City of Pittsburgh as an indication of my good faith to cost control and budget control.

**Mr. DePasquale:**

Madam President, what happened to the motion of Michelle Madoff to eliminate the four percent wage increase for white collar workers?

**The Chair:**

There was no second and it was never acted on.

**Michelle Madoff:**

In order for me to have an amendment, I had to have Mr. Pollock rescind his motion and he did not. Therefore, my motion failed.

**Mr. Ferio:**

In relation to the resolution before us, I'm going to support it. As you know, I think more than anybody at this table here today I have a clear track record in opposition to a fairly significant pay raise which could best be described as a pay grab in 1983. I think all of you remember, my colleague, Councilman DePasquale was then Council President. It was a riotous hearing, as he best described, and probably one of the largest public hearings; one, because it was clearly a pay grab of the magnitude of \$12,500; secondly, it was done just a few days before Christmas without any public notice or any ability for community groups and those who have already commented on the budget to have any kind of an input. It was done in such a fashion that did not exactly win the respect of the citizens of the City of Pittsburgh.

Unfortunately, I had no input on this budget that I have to live with this year. I say unfortunately because, as somebody who is going to be around for the next two years, I would have preferred a situation where this present legislative body could have had some input on the budget that the previous Council, including some outgoing members, have formulated and that we have to now live with.

But I think the increase that is

being proposed today within the context that I've just described is not only fair but I think it represents an incremental approach. And I think also it is keeping with the reform effort that was passed and approved by voters following the tremendous protest of the pay grab of '83. I think the voters expressed themselves.

It is always a difficult situation when elected officials vote for a pay increase. I resent the earlier comments to the extent that I disagree with them that somehow his Honor, the Mayor, his position is more deserving and more warranting of an increase or that of the Controller. I'd like to think that we are all responsible officials, that we have as much responsibility as either the Controller or as the Mayor of the City of Pittsburgh. And for all of those reasons today, I am supporting the resolution as announced earlier.

**Mr. Coyne:**

I'd like to make a motion, Madam President, that we separate all elected officials from the pay increase from the non-union employees.

**Mr. Woods:**

Point of order, Madam Chairman. The motion is out of order; we just went through that. And you must have all motions, and perhaps we can get Mr. Coyne a copy of Council's rules, that all motions must be in writing.

**The Chair:**

Is there any further discussion on the resolution?

**Michelle Madoff:**

One quick comment. You know, it's really unfortunate, as I pointed out

earlier, that one of the services that Councilmembers offer is scapegoating. As my colleague, Mr. Ferlo, pointed out, the pay grab of '83 was really a media event. Councilmembers have not received a pay raise for a substantive period of time. The Administration had given \$10,000 pay increases, the Mayor had given it to all of the department heads, and it was the appearance of a pay grab. It is true that I was one of the people that said that until the economy of this community turned around, we should not take raises. Again, I fortunately am in the position where I will not starve or it will make not one bit of difference in my scale of life. I do care about the other members of this Council who may have to live on their \$33,800. But I like Mark Pollock and I stated this in a press release I gave out before Christmas, we'll deduct the taxes and turn the balance in to the general fund until tax reform is passed in Harrisburg.

**Mr. DePasquale:**

Point of order. Just to make it clear, to retain the pay raise it has to be an aye vote because we had a nay vote the last time to not delete it.

**Parliamentarian:**

Madam Chairman, I'm afraid I didn't hear the question.

**Mr. DePasquale:**

I merely said to inform Councilmembers that we need an aye vote to retain the pay raise as we had needed a nay vote for the deletion. I made it clear so there's no misunderstanding of how to vote.

**Parliamentarian:**

I think that's correct. I think that

there was a nay vote which defeated the amendment.

**Mr. Ferlo:**

Madam President, I just want to conclude my comment. I apologize for not thinking totally on this but I do want to make this point. I do feel strongly that there are a number of members of this Council who have tenure, unlike myself and maybe some of the new members, and I do feel they are deserving of this incremental and fair approach. I do want to say that as a new member, though, I don't feel I am deserving of the increase. I'm going to vote for the resolution and I'm announcing publicly that I will donate the additional income to emergency food shelter and community groups in the City and I'll be glad to have reporters audit that contribution one year from now. So, for the next two years I will make that contribution.

**Michelle Madoff:**

Question, please, Madam Chairman. We've already had three people who are members of this Council say they're not going to take the money even if they get it. I would respectfully ask my colleague to withdraw his motion and replace it with a motion that would separate the Council from this general motion so that we can indeed vote separate because if we vote it down we don't have to give it back. We don't have to go through the exercise of taking the taxes out and having it audited. We just don't take it.

**The Chair:**

Mr. Pollock, will you withdraw your motion?

**Mr. Pollock:**

I think we already vote on it.

**Mr. Woods:**

Point of order. You cannot do it; we already voted, Madam President, and now you must call the vote. If someone chooses not to accept the raise, that's fine. They can take that money and do as they want.

**The Chair:**

Is there any further discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. DePasquale  | Mr. Pollock  |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7                      NOES 2

(MR. COYNE AND MR. WAGNER  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Wagner presented**

No. 30 Resolution providing for a transfer of funds from Code Account 45, Health Insurance-Municipal Employees, Department of Finance, to Code Account PSTA, in the amount of \$100,000.00, and providing for the reimbursement to Code Account 45 at a later date. This transfer is necessary to augment cash flow for

use in purchasing necessary equipment, supplies, and services for the Department of Public Safety.

Which was read and referred to the Committee on Finance.

Also,

No. 31 Resolution providing for an Agreement or Agreements with Instructors for the Training Academy at a cost not to exceed \$20,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account PSTA.

Also,

No. 32 Resolution amending Ordinance No. 9, approved April 2, 1979, and effective April 19, 1979, entitled: "An Ordinance providing for charges by the Department of Emergency Medical Services for ambulance service to non-residents; and creating a special trust fund in connection therewith," by setting a termination procedure and date for Trust Fund transactions. (PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 5, 1988)

Also,

No. 33 Resolution amending Resolution No. 1206, approved December 13, 1985, and effective December 17, 1985, entitled: "Resolution authorizing and directing the City Treasurer to deposit within the Department of Public Safety Third Party Payer Trust Fund (DPSTPP) certain fees generated by the Bureau of Police and the Bureau of Fire of the Department of Public Safety, and authorizing the use thereof by the Department," by setting a termination procedure and date for Trust Fund transactions. (PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 5, 1988)

Also,

No. 34 Resolution further amending Resolution No. 519, approved May 18, 1981, and effective May 29, 1981, as amended by Resolution No. 1148, approved November 8, 1982, and effective November 22, 1982, as amended by Resolution No. 464, approved June 10, 1987, and effective June 16, 1987, entitled: "Resolution providing for an Agreements or Agreements with the School District of Pittsburgh for the provision by the Department of Emergency Medical Services of paramedics at certain student athletic events; providing for reimbursement to the City of the cost thereof; creating a special trust fund in connection therewith; and authorizing deposits of funds from other Agreements by changing the name of the trust fund, authorizing certain additional deposits from all Bureaus of the Department of Public Safety, authorizing the expenditures of trust funds for premium pay," by setting a termination procedure and date for Trust Fund transactions. (PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 5, 1988)

Also,

No. 35 Resolution further amending Resolution No. 179, approved February 20, 1981, and effective March 2, 1981, as amended by Resolution No. 83, approved February 4, 1985, and effective February 15, 1985, entitled: "A Resolution providing for the changes for third party payers from ambulance service rendered to the residents of the City of Pittsburgh, and creating a special trust fund in connection therewith, and authorizing payment of Department of Public Safety related costs and expenses from the trust fund," by setting a termination procedure and date for Trust Fund transactions. (PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 5,

1988)

Also,

No. 36 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization to amend Council Bill No. 3728, by deleting the name of Dom Cimino and adding the name of Richard Bruce to attend the BOCA Mid-Winter Trust Conference in Springfield, Missouri, January 11-14, 1988, at a cost not to exceed \$2,650.00, payable from Code Account No. 1476, Miscellaneous Services, Bureau of Building Inspections, Department of Public Safety. (PRIOR APPROVAL GRANTED BY COUNCIL DECEMBER 29, 1987)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 37 Communication from David Donahoe, Executive Director, Urban Redevelopment Authority, City of Pittsburgh, submitting a report entitled, "Position and Salary Report" as of December 31, 1987, consisting of names, positions and salaries of all fulltime employees of the said Authority as of December 31, 1987.

Also,

No. 38 Communication from Reginald B. Young, Treasurer, City of Pittsburgh, submitting a report of deposits and the Market Value of securities pledged as collateral by the City Depositories of November 30, 1987.

Also,

No. 39 Communication from Reginald Young, Acting Director, Department of Finance, submitting the Annual Defense Spending Report for

1986, for the City of Pittsburgh.

Which were read, received and filed.

## MOTIONS AND RESOLUTIONS

Michelle Madoff presents

No. 42 Resolution resolving that Eugene P. DePasquale and Jim O'Malley be removed from the Board of Alcosan for misfeasance, malfeasance and abuse of power and that City Council hereby authorizes the City Solicitor to petition the Court of Common Pleas of Allegheny County for their removal.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Michelle Madoff:

Discussion. We went this route once before. As a matter of fact, I have a file yeah high that goes through '81, '82, '83, '84, '85. We had a lawsuit and there was a 5-4 vote on a number of items.

In order for this to be a reality, in order for Council to have the right to remove any member we appoint to a board, we must have five people. If we don't have five, then we are not going to be successful. Precedent has already been set; I've heard that from three different attorneys. I believe that the Controller's report speaks to the issue. I think it is time that the outraged Alcosan ratepayers, and incidentally, anybody who cares to make a contribution to the lawsuit which I filed today on behalf of the outraged Alcosan ratepayers can make a contribution to Box 23177, Pittsburgh, PA 15222. Make you checks out to "Outraged Alcosan Ratepayers". This morning I filed a

lawsuit on behalf of myself and six other outraged ratepayers. Many, many people have come to me and said, "I'd like to be included in the lawsuit." Unfortunately, it's not a class action suit, it's a ratepayers' suit and it becomes very expensive. These attorneys are working for a mere fraction of what they would get on a regular fee from clients.

I think we have to show once and for all that there cannot be abuse of power, there cannot be \$1.5 million spent for patronage jobs, as stated by one of my colleagues and a member of the Board, Mr. DePasquale, in today's paper.

I think if we don't vote, we as a body don't care. If we're not outraged, then the public is going to be darned outraged with us. And I think it's time to really show our innards, to show what we're made of, how we feel about Alcosan and really get on with the issue of changing it. We know that the Commissioners, particularly Commissioner Foerster, has tried to bring about reform. We know that Tom Murphy has tried to bring about reform. We know it's hung up in Harrisburg. And we just cannot let Alcosan proceed as it is presently.

**Mr. Wagner:**

Madam President and members of Council, the motion or resolution that has just been made is impractical, irrational and ill-conceived. I have read the Charter, I have researched the Charter, and this Council has no authority to remove anyone from any authority in the City of Pittsburgh. In addition to that, and this may be some startling information, this Council does not have the authority to appoint anyone to any authority in the City of Pittsburgh. This is the total jurisdiction of the Mayor to both appoint and remove.

In regard to the three appointments of the City to Alcosan, the practice of appointing those members began back in the Pete Flaherty administration. Since that time, a Charter has been adopted and that Charter clearly indicates how people are appointed to authorities. I have with me the Charter, copies of it, and I want to pass it out to all Councilmembers. I want them to please refer to the specific page that I'm talking about to clarify this issue once and for all.

Under the executive branch of government in the Charter of the City of Pittsburgh, Section 221; it's on the first page. "Removal Of Authority Members - The Mayor may remove any member of any authority at will except as otherwise provided by law. A removal shall not be effective until the Mayor transmits reasons to Council in writing."

I would also refer to Section 219, two sections above in the Charter. "Appointment And Term Of Members Of Authorities - The Mayor shall appoint all members of authorities subject to approval of Council except as otherwise required by law. They shall serve for terms as provided by law." This is appointment now, not removal.

I ask you to turn to the last page that I have here explaining the Charter which is the commentary of the Charter. Again, under Section 219, it explains the section I just read. "Authorities exist pursuant to state law. Appointment of their members is controlled by law, unlike Boards and Commissions which are established pursuant to this Charter. Unless state law mandates a different method of appointment, all appointments are to be in accordance with this Charter."

In other words, the Mayor has total authority for the appointments to the



Alcosan Board, not this Council. A procedure has been adopted and has been in existence for years, of which Mr. DePasquale and Mr. O'Malley fall under. That procedure is not back up by the Charter. What I mean when I say that is, this Council has been following a procedure that is not accurate. Therefore, we cannot, at will, today, say that we can remove anyone from any authority because we have never been granted by this Charter the power to put anyone on any authority.

Now there's a bill in Harrisburg today. I believe it is Bill No. 323, Alcosan Legislation. That bill suggests that several changes be made in Alcosan to take the power away from Council. Let the world know today, this Council never did have the power. And if anyone doubts my word, ask the appropriate legal authorities in the City, ask Mr. Perry, ask anyone else. Therefore, the motion that has been made here is not a valid motion. It does not fall under the guidelines of the Charter of the City of Pittsburgh which this Council, the Mayor and the Controller must operate. I strongly recommend that we do that from this day forward and from this day forward, that means that this motion is not a practical motion, it is not a legal motion. And this Council, from this day forward, cannot appoint anyone to the Alcosan Board or any other board in the City of Pittsburgh.

**Mr. Coyne:**

Madam President, I would like to go along with what Councilman Wagner has said. The same question occurred to me last week when I saw the resolution was introduced. I also have not been able to find anywhere where City Council has the authority to appoint to this board or to any other board. The authority in the legislative branch is only to approve and, therefore, I agree that

this has no merit right now.

But I think we should carry this one step further in where it says that the Mayor shall appoint members of all boards and commissions subject to the approval of Council. I think Council needs to approve the appointments from this point on of the Bureau of Water Assessors, City Court, the Civil Service, Minority Women's Business, the Pension Fund, the Personnel Appeals Board, the Water and Sewer Authority, the Public Auditorium Authority, the Parking Authority, the Stadium Authority and the URA. According to the City Charter, Council does have the ability to ratify, unless otherwise stated by law, the appointment for every one of those boards. So, I think Council has been losing their oversight privileges with the appointments up to this time.

**The Chair:**

As I recall, all the members of those boards have been submitted to the Council and we've acted on them.

**Mr. Coyne:**

Okay, I couldn't find where that occurred.

**The Chair:**

Well it has, practically every one.

**Mr. Ferlo:**

Madam President, I agree with Councilman Coyne. This is probably one of the best illustrations of why this legislative body needs a Solicitor and our own legal opinion, not the legal opinion of Mr. Pellegrini who, in all respect, is the Solicitor and legal counsel and advisor to his Honor, the Mayor. I think until such time that we can have our own solicitor educate us and give us a legal

opinion regarding this and probably a whole host of other questions that will come before this body over the course of this year, I would frankly like to make a motion to table this motion recognizing, Michelle, that it will go down to defeat. I'd like to make a motion to table this until such time that we act on the question of our own solicitor and get a legal opinion.

**The Chair:**

Mr. Ferlo, there's 17 solicitors downstairs. We can get an opinion on any matter from any one of them at any time.

**Mr. Ferlo:**

But I think it's clear from the history of this City, from David Lawrence on up, that the Solicitor — There's the old joke about if the Mayor wants a "no" he'll take the legal opinion out of the left pocket, and there's a lot of truth to that matter. There's a motion to table.

**The Chair:**

There's already a motion on the floor.

**Mr. Pollock:**

I agree with Mr. Wagner's reading of the Charter; it doesn't take a great deal of intelligence to figure out what it says. But what I'm asking Mr. Wagner, since there has been a policy in effect for probably 15 or so years whereby Council was granted this authority whether by agreement or by custom, is it his position that the Mayor remove Council's appointees? In other words, who would he suggest be the body or the individual or the entity to remove appointees that were granted to Council to make, whether in compliance with the

Charter or not.

There's a doctrine of law called Laches which says that if something is in effect for a long period of time, the parties cannot raise that issue at a later date. And I would submit that the Doctrine of Laches would apply here, that this policy has been in effect for so long that Council is governed by its failure to act in the past. In other words, if we wanted to raise a claim that Council didn't have the charterial authority to appoint, then it should have been done a long time ago and we are precluded from now raising it at this time.

**Mr. Woods:**

I agree with what everyone has said here except for, I think, Mr. Ferlo and Mr. Coyne. Council has always approved every appointment that the Mayor has made. We follow the Home Rule Charter and I've been here for six and a half years and I've never known anyone that has been appointed to any commission, board or authority that hasn't come before this Council that we have not approved, other than the two people at Alcosan, which we do the appointment. That came under the original agreement; I think it was then Mayor Bahr or Flaherty under Alcosan with this Council. But, like Mr. Wagner says, since that time, the Home Rule Charter has come into effect in 1976 and the Mayor has not exercised his authority and this Council kept doing it and I think the precedent is set that this Council, until someone takes us to court or the Mayor wants to challenge us, we still appoint Alcosan. But all other authorities, the Mayor does do that.

**Mr. Pollock:**

One other point. I was corrected by two attorneys who were fortunate to

have here today, Frederick Frank and June Schulberg, that I cited the wrong doctrine of law; it's the Doctrine of Estoppel, not the Doctrine of Laches. So I want to make that correction.

**The Chair:**

You stand corrected.

**Michelle Madoff:**

May I continue with my motion? It is very obvious what is happening here today. Everybody is terrified; nobody wants to vote. We voted, I voted against, others voted for; the majority voted to appoint. It is now, by precedent, the law.

There are three issues before us. It is the precedent that has established the law. Further, if you read the very first paragraph of 219 it says, "The Mayor shall appoint all members of authority subject to approval of Council except as otherwise required by law." And I believe if you ask the Parliamentarian you will find out that "otherwise required by law" falls into line with what Mr. Woods said. There was otherwise. Otherwise was that this Council did indeed appoint three members to the Alcosan Board.

Furthermore, I have spoken to the Mayor on five separate occasions over the years and said, "Dick, what are you going to do about this?" He said, "Michelle, what can I do? It is not my appointment; it is Council's appointment."

Now it has been Council's appointment. We put those people on and it is the prerogative and there is ample precedent, according to three attorneys that I've spoken to, to remove what we have put on. We either have the courage today to say we don't like what's

going on in Alcosan, we're going to remove those two people or we're not. And no matter what else is said here today, that is a fact.

Mr. Ferlo pointed out that we do need our own legal counsel. I had a bill today that recommends legislation that we indeed hire our own solicitor, our own fiscal analyst and our own engineer because we could save ourselves a great deal of funds. I decided to postpone that until next week because I thought we had enough for one day with what was going on here. With the water awards and my lawsuit this morning, it was just a little more than I could handle. But I think it is very clear.

Section 219 of the Charter says, "except as otherwise required by law". "Otherwise required by law" means that this Council did indeed have the authority to appoint to the Board. But let's assume that we're wrong; let's assume it's an error. If you live next door to a neighbor and they have a fence on your property and there supposed to be a 15 foot difference between the two houses, after a certain period of time it becomes law because they're on your property.

These appointments have gone on for so long that it is really law now and we can't change it. We can, in the future, change it, but as of now we have appointed to the Alcosan Board two people who, according to this report not done by Michelle Madoff, done by the Controller of the City, and both editorials and both papers have said, one to me and one to the Controller, what are you going to do now? Well, I did something; I filed a ratepayers' case this morning. And I'm urging those who are as outraged as the others who've joined me to send their checks to help pay for the lawsuit.

Now it boils down to courage; now it boils down to where your guts are. Now it boils down to the public listening to your vote. Are you going to have the courage to remove these two people or are we going to just have business as usual?

**Mr. Coyne:**

Madam President, I don't think it comes down to a question of courage or a question of doing the right thing. Mr. DePasquale and Mr. O'Malley have been convicted in the press; they have not had a chance to stand a fair trial or no charges have really been brought against them. The accusations made in Mr. Lucchino's report are general accusations and could probably be put on the head of any individual. But I don't think that really is the matter right now. The matter is that the City Charter says "as required by law". I would like to see the law if the Councilwoman may provide it for me that says —

**Michelle Madoff:**

I would like to respond to that.

**Mr. Coyne:**

I have the floor Madam President.

**The Chair:**

We'll have one more round and then we'll vote on the resolution. Mr. Wagner.

**Mr. Ferlo:**

Excuse me. I don't think Mr. Coyne was finished with his comments.

**The Chair:**

Oh, I'm sorry, Mr. Coyne. I thought you were. Excuse me.

**Mr. Coyne:**

I would just like to state that it doesn't come down to a matter of courage or anything; it comes down to a matter of doing the right thing and the right thing is giving someone a chance to be heard and not to act up and also as to following the City Charter that was voted on by the people of Pittsburgh. I feel that we need to stand by that today.

**Mr. Ferlo:**

I second that.

**Mr. Wagner:**

Madam President and members of Council, let's get back to basics. This Charter is the law by which we live. The motion that has been made here today is not a valid and legal motion. Past procedures for appointments to Council have not been valid or legal also. The authority is clearly given to the Mayor and the Mayor only. Now Mr. Pollock indicated that you don't have to be a genius to read the Charter; that's right, and I'm not a genius. But I do know what the Charter states and this Council has no authority to appoint to any authority of the confines of the City of Pittsburgh according to law. We have been in error for over a decade and I've gone back and I've researched when the last mayoral appointment was made to Alcosan. There were three under Pete Flaherty's administration; one in 1970 of John Miller for five years, one in 1971 of John LaBoone for five years, and one in 1975 of Fred Egler for five years. Since that point in time when there is a tremendous difference between the executive branch of government and this legislative branch of government, the Mayor of the City at that time chose not to argue with Council when Council put forth its own names for Alcosan. That was a flaw at that time and it's been a flaw ever

since. It's been in violation of the Charter ever since. And the time has come for Council to deal with this issue. We do not have the power, we do not have the authority to deal with this issue.

There was an extensive audit done by the County Controller of Alcosan. In that extensive audit there was never one mention of this, even though that individual was on Council when this change occurred. The Mayor was on Council when this change occurred. And it is the law of the City of Pittsburgh.

It took me four years to realize this and, unfortunately, it took me four years to realize this. But it's only been through extensive research out of my office that we have found this out. I have talked with the Solicitor; the Solicitor has verified that this is accurate. I have talked with other people and they have verified that this is accurate. We have the Assistant City Solicitor here now and, if this Council permits, I would like him to comment on the issue.

**The Chair:**

Mr. Wagner, so the point you're making is that the three appointments we made were purely out of the goodness of the heart of the Mayors, whoever they were. So that really, we had no legal authority to make them; the Mayors gave them to us.

**Mr. Wagner:**

Our authority is only for confirmation of the appointments made by the Mayor and from this day forward, including the motion that is on the floor for removal, that is an invalid and illegal motion. When it comes to authorities in the City of Pittsburgh, we must follow the Charter.

**Mr. Woods:**

There is a motion on the floor and I believe —

**The Chair:**

It's a resolution.

**Mr. Woods:**

It's a resolution, it's a wish, so Council can vote on it, and I have the courage to vote on it. Whether I agree or disagree with you, that is my conviction and I can stand up to public scrutiny for that.

But I would like to say one thing. Council does have the authority to appoint. If the Mayor does not appoint within 60 days, any authority, board or commission, this Council can appoint. And I want that for everyone to know because this Council, when I sat on it, we did it. If the Mayor does not act within 60 days and he doesn't number them, this Council can, unless it's prohibited by law and there's nowhere that I know of that it states that we cannot do that.

**Michelle Madoff:**

I would like to point out, Madam President and members of Council, that the Home Rule Charter says, "except as otherwise required by law". And "except as otherwise required by law", I've been here nine and a half years, I believe Sophie Masloff has been here longer than I have, and the time that you were here and Mr. DePasquale was here, you've been here longer than I have, those appointments were always made to Alcosan by City Council; is that not fact?

**The Chair:**

Out of the goodness of the heart of

the Mayor.

**Michelle Madoff:**

I spoke to the Mayor five times, and he will not deny it, that he said, "I cannot make those appointments; the law says that they are made by Council." And it says, "except as otherwise required". As otherwise required, he did not have the authority to appoint to Alcosan. And again, as Mr. Woods has pointed out, when there's no appointment made by the Mayor within 60 days, we do make it. Therefore, that's after the fact. The fact is, this Council did indeed have the authority to appoint. It also has the authority if we get five votes.

This whole thing is a red herring and let me just read you one little statement. In today's paper, Mr. DePasquale is quoted as saying that he was made the fall guy for the summer jobs program which he said many local officials use for patronage purposes to the tune of \$1.5 million. He was one of the people that voted on it and at one point there were only two members of the Alcosan Board; they were Mr. O'Malley and Mr. DePasquale. This is a red herring. Either you've got the courage to vote them up or you don't want to. I've raised the issue; vote your conscience.

**Mr. DePasquale:**

Madam President, I never made the statement that it was used for patronage. I said certain County officials and City officials sent a list of names over of young people they wanted hired for the summer program and I made it a point to say that they were mostly disadvantaged kids. I never used the word patronage. If some reporter quoted me, he quoted me incorrectly.

**Mr. Pollock:**

Madam President, there's one other place that one must look when deciding whether this action is proper or not and that, of course, is the state statute which set up the authorities, which is the state authority law. That also has provisions for the removal of board members. It is my understanding that the statute requires or states, provides, that any ratepayer, any citizen, can bring an action himself or herself in the Court of Common Pleas. So, it's my understanding that this resolution is asking that City Council be the named party bringing the petition alleging misfeasance, malfeasance and abuse of authority. We're not determining that by this vote, we're not making that a judgment; if this resolution passes, it is only a resolution that the City, whether it be the City Council itself or the City of Pittsburgh, be the party bringing the action in the Court of Common Pleas for a hearing and a determination by the Court that indeed there was misfeasance, malfeasance, and/or abuse of authority and, if so, that the two named board members, or one or the other, or both, be removed for those allegations.

**The Chair:**

But that's not how the resolution reads.

**Mr. Pollock:**

Well I think it's the way it would have to be interpreted.

**Michelle Madoff:**

That is exactly what happens. If we vote, we go to our Solicitor and the Solicitor takes it to court. Either we win in court or we do not win in court.

**Mr. DePasquale:**

Point of order, Madam Chairman. A while ago Mr. Wagner brought out the point that the Charter states the fact, as someone said a while ago, you don't have to be any brainstorm to read that all the authority members are picked by Council. However, there's some misinformation here in this respect. To the best of memory, the first time I voted on a person to serve at Alcosan was Mr. Egler in 1975. I raised the question on the floor then, where does Council get the right to appoint a board member to Alcosan or any board. I was told then that it was in Alcosan's indenture and I found out since that it is in the indenture. However, the Charter would supersede that indenture and I don't want to dispute that whatsoever.

I just want to make it clear and if we have to go back awhile to when Lawrence was the Mayor in the late 1940's, I understand when they were putting up the plant, when they were getting the money together, what have you, the County refused to participate or participated to a very small extent. Then Mayor Lawrence said, "Well, if that's the case, then the City is going to run this place and the City is going to have three board members and the County is going to have two", and it was placed in the indenture.

I just want to bring that fact up because that's how it came about that the City has three members over there and the County has two although there's a larger group of people in the County being served than in the City of Pittsburgh. But as I said, Mr. Wagner is correct; the Charter, it appears, does supersede the indenture.

**Mr. Wagner:**

Madam President, just one last

point of clarification. Again, the Charter dictates that unless State law mandates a different form of appointment or removal, we must follow Home Rule. That is precisely the reason why a bill has been introduced in Harrisburg by Representative Murphy, to supersede the Charter as it relates to Alcosan. The State is trying to mandate a different form of appointment for Alcosan. Therefore, this Council, I believe, because of many reasons that bill has been introduced, I suspect, I don't even know precisely the reasons, but the authority still falls back on the City of Pittsburgh through the Charter.

Now, Mr. Woods is right; if 60 days expires, Council has the right to appoint. To my knowledge, that has never happened with an appointment to Alcosan. The 60 day period has never expired and this Council has always acted prior to the expiration of a term, as we recently did with an appointee, or prior to the 60 day expiration period; therefore, Council has not acted according to the Charter. In addition to that, the Mayor has not acted, and we're going back 12, 15 years. And the time has to come finally for this Council, this Administration, this City, to adhere to the dictates of this Charter as it relates to Alcosan. For that reason, any motion to appoint or remove is an invalid motion. And I want, please, in addition to us voting on this today, please, City Clerk, ask for a legal opinion, independently from our Solicitor or from anyone, as it relates to this issue.

**Mr. Ferloc**

I would like further clarification from either Councilman Pollock or Councilwoman Michelle Madoff regarding the question of whether or not the lawsuit continues regardless of an affirmation of this resolution.

**The Chair:**

Any individual can have a lawsuit. This resolution is only the will of Council; we're not in the lawsuit at all.

**Mr. Ferlo:**

Exactly. So the lawsuit will continue regardless.

**The Chair:**

Sure. This is only the will of Council.

This is it and then we're going to call the question.

**Michelle Madoff:**

I'll be very brief. Let's be very honest here, folks, the public is not stupid; the public is a lot brighter than we give them credit for. If this had been on any other innocuous situation about appointments, you had better believe that Mr. Whoever, I don't even want to mention names, would not have dragged out the Charter and said, "We cannot have the right to do this." It's only because it's a very sensitive issue.

**Mr. Wagner:**

This is the only authority we've ever appointed.

**Michelle Madoff:**

This is a very sensitive issue and the fact remains that this is really a red herring. This is a matter of voting your conscience —

**Mr. Woods:**

Madam President, point of order. You've cut the debate off and now we're rehashing the same debate so that my

colleague can get the last shot in. That's bullcrap. Would you please call the question?

**The Chair:**

Please wind up.

**Michelle Madoff:**

Madam President, the only thing I want to say is that Representative Murphy introduced legislation in Harrisburg because the former Council, the previous Council, didn't have the courage to remove the members of the Alcosan Board. That is why he is doing it because I have spoken with him.

**The Chair:**

Roll call vote on the resolution. The resolution is to petition the Court of Common Pleas of Allegheny County for their removal. Aye is to petition the court; no is not to petition the court.

**Mr. DePasquale:**

Being that I'm one of the parties named, I don't know if it's ethical for me to vote or not.

**The Chair:**

Let your conscience be your guide, Jeep.

**Mr. Wagner:**

Madam President, it reads to remove; it doesn't read to petition.

**The Chair:**

No, the resolution reads, "authorizes the City Solicitor to petition the Court of Common Pleas". Now, either we do or we don't authorize the City Solicitor to petition. Aye means



yes and no means no.

**Mr. Woods:**

Call the question.

**Mr. Wagner:**

I refuse to vote and this is not an abstention. I refuse to vote. We are not permitted to vote to appoint or remove from Alcosan.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo                      Mr. Pollock  
Michelle Madoff

AYES 3                      NOES 5

VOTING NO:

Mr. Coyne                      Mr. Woods  
Mr. DePasquale              Mrs. Masloff  
Mr. Lyons                      (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Michelle Madoff:**

I got two more than I thought.

**The Chair presents**

No. 43 Resolution approving the  
re-appointment of Michael P. Brady, 162  
Ulysses Street, Pittsburgh,

Pennsylvania 15211, as an at-large member of the Pittsburgh Cable Communications Advisory Committee, for a term to expire December 31, 1990.

Which was read.

**Mr. Woods** moved to approve the re-appointment.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Madam President, I want to submit a report from the Committee on Water. I won't go in length to talk about the reality of the oil spill; obviously, it has preoccupied everyone's minds for the last couple weeks. We had what I thought was a fairly important public hearing, post agenda session, this past Thursday of the Water Committee which I previously chaired for a very brief moment and I thought it was a productive hearing. Several Councilmembers were kind enough to participate and they were very helpful throughout the proceedings.

There is a formal report which I would like to have included in the Record or approved as part of the proceedings but I just want to comment in summation that there were several key things that came out of it, one specifically is model legislation that will be developed by both Congressman Walgren in cooperation with Congressman Coyne's office at the Federal level and on the State level with Senator Michael Fisher. We will be provided, members of Council, with draft copies of these documents so that we can have some input prior to their adoption and debate in the Congress and also on the State Senate.

Secondly, I'm calling today for the formation of a river clean-up committee

and I hope that Councilwoman Michelle will permit me an opportunity to work on this with her. It was very clear that there were several recommendation regarding the purposes of this committee; obviously, it would be to recommend to City Council what action should be taken to clean up the oil spill, including the river banks, the river bed, the damage to the fish, fowl and personal property. It would be also to inform City Council of short and long term environmental and ecological effects of the Ashland spill, and thirdly, it would be to inform Council of the potential risks as well as the consequences of a similar disaster on our rivers and to suggest precautionary measures which can be taken to avoid such a catastrophe in the future.

I've suggested about 15 individuals and I've supplied Council with a listing of those potential members of this committee and maybe Councilwoman Michelle and other members of Council will have suggestions regarding this committee and I'd be happy to work with Michelle on this committee and the recommendations that will be forthcoming to Council.

Thank you.

**Michelle Madoff:**

May I respond? I think the suggestion is very well taken. There was a meeting out at the Hilton Hotel on Friday at 3:00; I had a call from Senator Fisher's Office. No one else was invited from the City, Water Department or any divisions that worked so hard to help in this problem. The issue really addressed, basically, what was going on in the other counties and the other boroughs and townships, not the City, and I feel that it was sort of an oversight.

There is already in place three

committees already addressing this issue and I think it would be not in our best interest to duplicate the efforts. I think that Mr. Ferlo and I need to sit down and find out what is actually going on so that we don't duplicate the same efforts of the same people because I believe almost the same people that you've listed were at that meeting and a committee was formed. So, we will talk about that and not spend money foolishly.

**(BEGINNING - COUNCILMAN FERLO'S  
REPORT OF WATER COMMITTEE -  
1/7/88)**

TO: Honorable Sophie Masloff  
President, City Council

**REPORT OF WATER COMMITTEE,  
THURSDAY, JANUARY 7, 1988**

**Councilmembers attending:**

Jim Ferlo, Chair  
Michael Coyne  
Michelle Madoff  
Jack Wagner

**Speakers:**

Richard Cosentino, Director,  
Pittsburgh Water and Sewer  
Authority  
Alex Sciulli, Director,  
Department of Water  
Louis Gaetano, Director,  
Department of Public Works  
Glenn Cannon,  
Director of Public Safety  
Dante Pellegrini,  
Department of Law  
Jim Roddey, Chairman,  
Pittsburgh Water and Sewer  
Authority  
Martin Jacobs, Fire Marshall,  
Allegheny County  
Jon Delano, representing  
Congressman Doug Walgren  
Richard Nagel, representing  
Senator D. Michael Fisher

John Kaus, Director,  
Allegheny County Emergency  
Management Team  
Bob Robowski, Manager,  
Pittsburgh District, West Penn  
Water  
Gerry Berron, Director,  
Environmental Services,  
Allegheny County Health  
Department  
Jamie Rooney, representing  
Congressman Bill Coyne  
Barry Moore,  
Pennsylvania Game Commission  
Mike Koryak,  
Corps of Engineers  
Jan Sykora,  
Professor of Industrial and  
Environmental Health Sciences,  
Graduate School of Public Health,  
University of Pittsburgh  
David Hastings,  
Executive Director,  
Clean Water Action Project

#### MINUTES

Director Cosentino: Commended all agencies involved in the crisis. Questioned if the Allegheny River is vulnerable to upstream spills. Has questioned PA Department of Environmental Resources and is working with them on answers. There are no future plans to take water from the Monongahela. Future interconnections with other systems will be discussed at Pittsburgh Water and Sewer Authority meeting.

Director Sciuilli: Commended all City agencies. On first day of crisis, Pittsburgh Water Department contacted West Penn Water and West View Water to ask what needed to be done. Pittsburgh Water Department proceeded with the following:

- 1) Hydrant connections were made with West Penn Water - 4 pumpers pumping 3 million gallons/day
- 2) A connection with West Penn Water due to be completed in April was accelerated - pumping 6-8 million gallons/day
- 3) Existing interconnect with West View Water was opened - pumping 8-8.5 million gallons/day

City will calculate payment from this pumping through engineering methods: diameter of pipe and flow. West Penn Water will install a meter in its connection. The City has a 2-3 day storage capacity before any part of the City goes dry. City's total storage capacity is 450 million gallons.

Director Gaetano: Thanked cooperation of City Departments and all City employees involved.

Director Cannon: Commended Public Works and other Departments. Public Safety first had to face the immediate incident of the oil spill. Containment of that oil spill quickly moved to contractors hired by Ashland Oil. Next Public Safety focused its attention on the drinking water problem. Fire Bureau personnel staffed 5 pumpers around the clock. Chief Leahy organized a meeting with suburban fire departments to discuss fire protection in their communities. 4 flushers were moved to City locations in case of fires. With the County EOC, City has been monitoring tankers to make sure they are filled. Department assisted County in placing water buffaloes around County. Director Cannon acted as coordinator of crisis. He is appointed by Mayor and Governor as Emergency Management Coordinator. Director Cannon also commended Department of General Services for their work on converting

trucks.

Chairman Roddey: Commended all involved. DER allows City 120 million gallons/day intake from the Allegheny. City currently uses 60-65 million gallons/day. DER wants to cut back City intake. City should do a better job of marketing water. During crisis, City is pumping 90 million gallons/day.

Solicitor Pellegrini: Over \$1 million has already been spent on water - to be recouped from Ashland. City is authorized to recoup costs. Total cost of clean-up and aftermath will not be calculated until at least summer. Damage to rivers and river beds are either federal or state responsibility. All Departments are going to report to Law Department and City will calculate overhead and indirect costs (23% and 11%). Workmen's Compensation, if any, will be included in costs. Those numbers should be known in one month. Can Ashland set aside money up front for City to start drawing upon? The crisis should not cost the City one cent. Businesses would have to recover damages directly from Ashland. If City is not satisfied with Ashland it will not hesitate to sue to recover damages.

Mr. Jacobs: Three different investigations are occurring on the tank collapse. Companies installing an above-ground or in-ground tank should contact County Fire Marshall who sends applications and permit requirements. Inspector goes to site to inspect area. Ashland contacted County in 1986 that they were planning to build a new tank. Existing tanks are under DER regulation. Do other Ashland tanks meet all standards? City should question DER. County is learning from this accident. Will study future changes in permitting, inspection and training.

Mr. Delano: National Engineering Laboratory (of National Bureau of Standards) will conduct an investigation into collapse of tank. They will receive full access to site, materials, and documents of Ashland. Bittell is investigating tank collapse for Ashland. Federal legislation is needed for above-ground storage facilities:

- 1) Lack of regulations for above-ground facilities at federal level - including inspection which might be delegated to the local level
- 2) Containment dikes - do they need to be redesigned?
- 3) Liability and compensation need federal approach. A comprehensive system will be discussed by U.S. Senate. Superfund approach maybe developed (funded perhaps by taxing all oil companies).

Congressman Walgren will circulate draft of legislation to City Council and other municipal bodies and officials for review and consultation.

Mr. Nagel: State is working on bill dealing with above-ground storage tanks.

Director Kaus: Commended Director Cannon and others for their efforts.

Mr. Robowski: Thanked Duquesne Light, City Departments. West Penn Water is hooking into Robinson Township system.

Director Berron: EPA is involved in river bank clean-up.

Mr. Rooney: Congressman Walgren sits on Science and Technology Committee. City Council will help lobby for federal and state legislation.

Mr. Moore: Game Commission is part of PA Emergency Management Response Team. They deal with impact on water fowl in rivers. Thousands of birds were

affected by the oil spill. Brady's Run Park in Beaver County is being used as a cleaning station. Pick-up points are at Three Rivers Stadium and in Beaver County. Commission is coordinating efforts with West Virginia and Ohio. Commission is relying on volunteers to help. Telephone 238-9523 or 238-9524. There could be a long-term impact on birds. Birds will swallow oil when preening. Responsibility of cleaning up dead fish and fowl is theirs. But they have limited staff. Will cooperate with municipalities to clean up fish and fowl. Could Ashland fund a clean-up of fish and fowl?

Mr. Koryak: Rivers are currently dangerous for small boats.

Dr. Sykora: Some oil sinks to bottom of river, into sediment. Oil is ingested by fish. Migration of fish could cause problems downstream. Some hydrocarbons are carcinogenic and could be a problem for people eating fish. Who would be studying this issue?

- 1) Corps of Engineers
- 2) EPA in Wheeling
- 3) ORSANCO (Ohio Sanitary Commission)

Studies should be done for the next year on fish life. 1-2% of oil settles to the bottom of the river. Higher accumulations will settle in river pools. Samples should be taken at different points in the rivers. The most likely place for hydrocarbons to settle would be from Jefferson Borough to the Point. Focus needs to shift from drinking water to cleaning the river and sediment. Mechanical Cleaning and product decomposition will help. We need a plan on cleaning the river and sediment. There are questions of efficacy of such plan. Panel should be formed including engineers, wildlife specialists, aquatic biologists, etc.

Mr. Hastings: Catalogue other potential sources of river pollution. In testing the river PCB's might be stirred from the bed. No current standards exist for xylene and toluene levels in the rivers. Check with the Water and Sewer Authority on the issue. A State Clean Water Fund exists. Perhaps the City should start a Clean Rivers Fund. 112 Toxic waste sites draining into rivers upstream are in Allegheny County alone. Ashland will probably be fined by DER with funds going into the Clean Water Fund.

#### SUGGESTIONS FOR MEMBERS OF RIVER CLEAN-UP COMMITTEE

Director, Water Department  
Director, Public Safety Department  
Director, Public Works Department  
Director, Pittsburgh Water and Sewer Authority  
Dr. Jan Sykora  
EPA On-Scene Coordinator  
Marine Biologist  
Julian Andelman, Graduate School of Public Health  
Barry Moore, PA Game Commission  
Al Bailey, Chester Engineering  
Representative of Audobon Society  
Representative of Sportsmen's League  
David Hastings, Clean Water Action Project  
Representative from DER  
Mike Koryak, Corps of Engineers  
Gerry Berron, Director, Environmental Services, Allegheny County  
Jamie Rooney, Congressman Bill Coyne's Office  
Jon Delano, Congressman Walgren's Office  
Rich O'Neil, Representative, Tom Murphy's Office

cc: Hon. Michael Coyne  
Hon. Eugene DePasquale  
Hon. Otis Lyons  
Hon. Michelle Madoff  
Hon. Mark Pollock

Hon. Jack Wagner  
Hon. Ben Woods

**(END OF REPORT)**

**Mr. Pollock:**

Madam President, on another subject. I just want to take a second to announce to this Council and to the viewing public and the citizens of Pittsburgh that there is a very important and very moving exhibit on display at Carnegie Mellon University. The exhibition is the Smithsonian's Touring Exhibit entitled "From Field To Factory, The Afro-American Migration From 1915 to 1940". This exhibit chronicles the experiences of Blacks who left southern farmlands to go north to work in the industrial towns and in factories in search of a better life. Obviously Pittsburgh, because of its steel mills and glass factories and coal mines, played a very significant role in this migration. There are some extraordinary photographs and artifacts which I urge all Pittsburghers to view.

The exhibit is at the Hunt Library on the Carnegie Mellon Campus which is near the tennis courts, on the fourth floor. It will run until February 7th.

I want to thank Carnegie Mellon for bringing this exhibit here and, again, I want to urge all Pittsburghers to see this. It's truly a phenomenal exhibit.

**The Chair:**

Thank you for bringing that to our attention; it's very worthwhile.

**Mr. Woods** moved to approve the Minutes of Monday, December 7, 1987.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

Madam President, I move to adjourn this meeting and meet again on Tuesday, January 19, 1988 at 2:00 p.m.

**Mr. Woods** seconded the motion.

And on the motion of **Mr. DePasquale**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Tuesday, January 19, 1988

No. 3

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Tuesday, January 19, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

Before we begin, the first order of business, of course, will be the presentation of read and adopted resolutions. In the future, these

resolutions will be taken first. Also, each member of Council is permitted to submit one read and adopted resolution each week, if they so desire.

##### Michelle Madoff:

May I respond, Madam Chairman? I think that is a very productive suggestion.

##### The Chair:

Thank you.

##### Mr. Pollock presents

No. 66 WHEREAS, the Pittsburgh-Donetsk Exchange Project is a unique cultural photographic exchange program between the City of Pittsburgh and the Ukrainian City of Donetsk; and

WHEREAS, this project evolved out of an effort to promote peace and a better understanding of each other's way of life through the medium of photography; and

WHEREAS, through the non-profit Pittsburgh Peace Institute, Donald L. Gibbon, a Calgon research scientist and the project's organizer, raised \$8,000 for the project from foundations, Calgon and Westinghouse Electric corporations and individuals; and

WHEREAS, under the direction of Donald L. Gibbon, works by 38 Pittsburgh photographers were shown in Donetsk in May, 1987; and

WHEREAS, the exhibition of Soviet photographs depicting life in the Ukraine is now on display at the PPG Wintergarden until January 30.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank Donald Gibbon and all those responsible for the Pittsburgh-Donetsk Exchange Project for their dedication and commitment to fostering world peace; and

BE IT FURTHER RESOLVED that the Council does hereby encourage all citizens to attend the exhibit in an effort to gain a better understanding of and an appreciation for the Soviet way of life.

Mr. Pollock moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Pollock:

Before introducing Donald Gibbon, I wanted to just take a second to describe the exhibit which is on display at PPG Wintergarden. It's an absolutely magnificent collection of photographs and its incredible how much the City of Donetsk looks like Pittsburgh. It is also a steel and coal-mining town and you see some photographs and you would swear that they are scenes from Pittsburgh. It's something that should definitely be viewed.

The people were here from the Ukraine and they made a presentation to the City. The Mayor was unable to attend but they gave me this to give to the Mayor that they brought from the Ukraine. It is a steel and coal structure which is really magnificent which I will, of course, give to the Mayor, as well as a book on the City of Donetsk which

anyone can look at if they'd like.

Michelle Madoff:

May I ask a question, please? Are you the same gentleman as your gallery in Shadyside that I've been talking to on the phone?

Mr. Gibbon:

Yes.

Michelle Madoff:

I'll be there next week. I've been trying to buy some things for ages.

Mr. Gibbon:

I had thought that while these delegates were here from the Ukraine last week that they might make some overtures about a more formal relationship between the City of Donetsk and the City of Pittsburgh. It turns out that they were not the appropriate people to do that, and yet, when I started this exchange project, I intended to operate at a relatively low, people to people level for some time. That's going to continue.

Peacelinks is trying to have a benefit ballet on April 14th. They're hoping to have Donetsk ballet dancers here for that. Larry Evans is working on the Steel Valley Oral History Project and is hoping to go to the Soviet Union and tape the history of steelworkers in the Soviet Union. We are working on a people to people outdoor exchange. There are lots of things going on. I suspect that sometime in the future I'll be back talking about sister city status with this very interesting place.

Thank you very much.



**Mr. Pollock presents**

No. 67 WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO are nuns of the Sisters of Notre Dame who have devoted their lives to serving and teaching the poor, the disadvantaged, the homeless and others in need; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO have a deep concern for and total commitment to people who "fall between the cracks" and who are in the shadows of society; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO believe the struggles of the working class and of women need to be addressed and attended to; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO were among 97 Catholics including 22 other nuns, a priest and two brothers who signed an advertisement noting a diversity of opinion on abortion among committed Catholics; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO have refused to renounce their statement and are expected to imminently face proceedings to separate them from their Order; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO are women of great courage and compassion whose commitment to service and to bettering mankind are the standards by which all people of conscience should strive to live; and

WHEREAS, PATRICIA HUSSEY and BARBARA FERRARO will be in Pittsburgh on January 23, 1988 to speak and receive the Clara Bell Duvall Award of the National Abortion Rights Action League of Pennsylvania at the League's dinner event honoring the 15th

Anniversary of the historic Supreme Court decision legalizing abortion.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes these women of courage and conscience to Pittsburgh and wishes them good fortune in their struggles to remain nuns.

Mr. Pollock moved to adopt the resolution.

Mr. Ferlo seconded the motion.

**Mr. DePasquale:**

Point of order, Madam President. Before a vote is taken, I would like an interpretation from our Parliamentarian as to this being a violation of separation of State and Church and not belonging in City Council whatsoever.

**The Chair:**

I'll accept your point of order that this resolution is out of order, Mr. DePasquale. Is there a second?

**Mr. Woods:**

I second it. It is out of order.

**Michelle Madoff:**

Discussion.

**The Chair:**

I want to say that I, too, believe that this is out of order because this matter is not within the purview of City Council. It involves a religious dispute and your government should not take a position on religious matters. I rule that this is out of order.

**Michelle Madoff:**

May I comment, Madam President?

**The Chair:**

No, it's ruled out of order.

**Mr. Ferlo:**

I think there should be a point of discussion on this.

**Michelle Madoff:**

Before it's ruled out of order, before we vote on ruling it out of order, but of course that's your prerogative, may I make a comment?

**The Chair:**

Okay.

**Michelle Madoff:**

You've always been very fair and very gracious and I just would like to point out that while I think you may be absolutely right, unfortunately, or fortunately, depending on the views of the members of this Council, precedent has dictated that repeatedly issues have been brought before this Council and exactly the same issue, Pro-Life Week. I was chastised severely by somebody who was a pro-lifer because I said I don't believe it belongs before this Council. But everybody voted for that and not everybody was a majority vote in that favor. I believe, Madam President, you voted and your statement to me was that everybody should have the right to do pro-life or anti, that whichever position they had, you didn't have an objection. I think this resolution falls under the same category. Would I be correct in assuming that, Mr. Pollock?

**The Chair:**

Just a minute. Mr. Woods?

**Mr. Woods:**

Being of Roman Catholic faith, I think this resolution is encouraging these two nuns to break the rules of the Roman Catholic faith and this is what this Council is voting on. If you read the last paragraph, "Now, therefore, be it resolved" that's exactly what it's saying. It is talking about abortion in the first few paragraphs but in the end it is encouraging these nuns among 97 other individuals in the Roman Catholic Church to go against their church.

Now I think it is completely out of line for any Councilmember to congratulate or to pin medals on anybody's chest for going against somebody else's religion. I would not do it to your religion and I really expect the same courtesy with mine.

I think this resolution is out of order in this Council and I agree with you, Madam President, there is a separation between State and Church, and this is one.

**Michelle Madoff:**

Madam President, if that is going to be the decision, then we should go back and take every bill, every resolution, that has come before this Council, either pro-life or pro-abortion, and make that a rule that that is not the business of this Council. As you stated yourself, Madam President, and you said previously that the reason you let it go, this is a democracy, everybody should have a right to voice their opinion and it's only a wish; it is not a position.

I personally believe that we are not telling the Catholic Church what to do;

these are two women who are standing up on principle. And if Mark Pollock, as a member of Council wishes to congratulate people for having the courage of their convictions, that's his prerogative because we have set a precedent of doing that at least two dozen times in the nine and a half years that I've been here.

I'm sure many people know there's a marvelous play in town over at the Pittsburgh Public Theater. My rabbi sat two rows behind me. The Stein movie about the Jewess who became a nun but was never stopped being a Jewess.

What I understand is that these ladies, women, believe that they are nuns but they have a position that is different from someone else's, and they have the right to support that position. There are many people who believe in the right to choice; I believe that's the position, the right to choice. It's not the right to have abortions; it's the right to choose.

**Mr. DePasquale:**

Point of order, Madam Chairman. We're getting into a religious discussion. The matters that Council refers to are not religious matters.

**The Chair:**

The ruling has been made and any further discussion is out of order, the Solicitor informs me.

**Mr. Pollock:**

Madam President, I respect Mr. Woods' comments and I will amend the resolution. I will amend the resolution by deleting "wishes them good fortune in the struggles to remain nuns".

I think we certainly have the right to welcome them to Pittsburgh; they are

human beings.

**Mr. Lyons:**

Madam President, I have nothing against the nuns that are here but I could not put a slur or an insult on the Catholic Church to vote for anyone or anybodies or persons or a group of people who have taken and support abortion because I think that is diametrically opposed to Catholicism and the teaching of the Catholic Church. I feel that it would give Council a dim view if they would pass the resolution.

**Mr. Wagner:**

Madam President and members of Council, I'm not sure if the resolution is before us as read or as amended.

**The Chair:**

It hasn't been amended yet; we're still in discussion on the original resolution.

**Mr. Wagner:**

Well, on either form, originally or as amended, I firmly believe that this resolution is demeaning to this Council, to this government, and the City of Pittsburgh, and also to the residents of the City of Pittsburgh. It is a slap in the face to the Catholic Church and I believe that's what Councilman Woods was saying earlier and I believe that's what Councilman DePasquale was referring to. It's more than a pro-abortion resolution supporting these two people; it is taking a position differing with the Catholic Church.

This Council should not, at any time, and I can remember no time where we have taken a position differing with any organized religion since I have been a member of this Council for four

years. True, we have taken positions on issues for and against that are similar to abortion and abortion, at one time, we have taken and I have had a resolution in that regard in the past, but we have never, never, never, ever had a resolution differing with an organized church. I think it's demeaning for this Council to present any resolution of that type.

Furthermore, it is condoning, in essence, the actions of two nuns who violated the doctrine and it is a matter that should be settled between those two nuns and the church to which they belong. And we should not be here complimenting them for their actions.

So, I would, therefore, say, if we are going to vote on it, I strongly would suggest to oppose it, but more importantly than that, I don't think the issue or the resolution, as it sits or amended, should be in front of this Council.

**Mr. Ferlo:**

Madam President, thank you; I'll just take a minute. First of all, I think Mark has offered a very good point in terms of making a recommendation to amend it and I will support him on that as far as leaving out the last part of the sentence, "and wishes them good fortune in their struggles to remain nuns". I don't really care to get into a debate on the policies of the Roman Catholic Church and I agree with Mr. Woods and Mr. DePasquale and Mr. Wagner to the extent that this resolution, to some extent, initiates that discussion.

But let's be honest here. The real debate right here is that a number of Councilmembers can be define in the narrow sense of the word as pro-life and a number of other Councilmembers would define themselves as pro-choice.

A majority of the people in this City, frankly, support a woman's right to choose. That's the real issue that's before us today.

I think Mark has offered a constructive way in which we can continue to debate and have a democratic vote up and down on the question by his amendment and I'll second his amendment to delete, "and wishes them good fortune in their struggles to remain nuns".

I don't think we're going to change anybody's minds around the table here today on the resolution. I think let's amend it and let's just vote it up or down and be done with it.

**Mr. Coyne:**

Madam President, I would also have to agree that I feel this is a very inappropriate resolution to have before Council. I disagree with Councilman Ferlo insofar as it's a question of one's stand on abortion. I feel that City Council has no right to get itself involved in the affairs of the Catholic Church and I don't really feel this is an appropriate motion for Council.

**The Chair:**

The motion before us now is whether this resolution is out of order. That is the motion before us now.

**Mr. Ferlo:**

You have to remember that this is the law of the land we're talking about. People's right to choose is the law of the land.

**The Chair:**

But that's not the resolution before us.

**Mr. Ferlo:**

I'm suggesting that we amend it, it would be amended appropriately and within the confines that Mr. Wagner and Mr. Woods had talked about, and then we could vote on it's merit, up or down. Obviously, some people are going to view this as something that supports abortion; they're going to vote against it. And others of us will support it. I think we can at least eliminate the latter part of that sentence and have the vote, up or down, on the actual merits of the resolution.

**The Chair:**

The motion before us is whether this resolution is out of order.

**Michelle Madoff:**

Point of order, Madam Chairman. I believe that I have been consistent, if memory serves me well, I can't think of any time that I voted, that I have consistently said on pro-choice, pro-life, pro-abortion, that it doesn't belong in here. I think that if we do not vote on this bill today, we introduce legislation that says never again will all these members who are opposing the right to choice, which is, incidentally, the position by the polls that have been taken, the majority are the Catholics, that we don't deal with that here; it is not our business to deal with it. We don't vote this one down or vote on this one and then vote on others. We don't vote on things that are not our business. We don't vote on school issues, do we, Madam Chairman? We're not allowed to vote on school issues because we don't have the say so on that. We should not be voting on this or on anything else. But, if we're going to have the same people who are saying now, "It is my issue and I'm offended", be able to vote and introduce the pro-life week and then

vote against the right to choice weeks, then that is not fair or just either. We should not be voting on any of it. I want a resolution immediately after this vote to vote on that floor motion.

**The Chair:**

I have ruled that this is out of order. Is there a challenge?

**Mr. Pollock:**

I challenge the Chair.

**Mr. Ferlo** seconded the motion.

**Mr. Pollock:**

Discussion on the challenge, Madam President. With my proposed amendment, I would question where in this resolution it condemns or condones abortion, where it gets involved with the Catholic Church. With my amendment, all it says is it welcomes two women who are coming to our City to speak who have displayed a degree of courage and that is indisputable and that is all the resolution says. So where does it get involved with the merits of the abortion issue? Where does it get involved with what's happening within the Catholic Church? It is merely a resolution welcoming two people who are coming to our City to speak and that is all it is and that is all it says with the amendment.

**Mr. Ferlo:**

Exactly.

**The Chair:**

I will ask for a vote on the challenge to the Chair.

**Michelle Madoff:**

Madam Chairman, this is a very

serious issue. This is going to be in all the media and it is going to be that the debate was shut off, that all the voices were not heard. I think there are some things that need to be said. Whether it is appropriate to do it now, and I will follow your instructions and abide by your rules, if you think it's appropriate to raise it at the end of the meeting, I will then have a floor motion that never again do we have any of the issue which is now before us addressed.

But, here we have Mr. Pollock has invited one of the two women, I don't believe the other woman is here, as a guest to speak. We have never been rude to anyone. Well, I've had someone speak here who was awarded an award for being pro-life. She spoke and personally attacked me but I was gracious, I listened to her, and I think if we have a guest, we listen to the guest. That was all that's being said here. I will vote against anything that doesn't belong in this Council. We haven't even heard what she has to say.

**Mr. DePasquale:**

Madam President, you have a motion on the floor to overrule the President's motion, so why don't we vote on it?

**Mr. Ferlo:**

Point of procedure, Madam President. I don't see how the President of this Council, regardless of the particulars of this issue, can in any way suggest that there be a limitation of debate or a limitation of a Councilmember's right to raise legislation, either ordinance, resolution, authorization, period. That's not right and if we're going to establish this principle on this issue then we're going to have many fights on this Council in the future if an individual is going to, just by

their own caveat, have the authority not to be able to introduce things.

There's nothing wrong with political debate. Let's debate the merits of the resolution as amended by Mr. Pollock. There are going to be members here who feel strongly on the abortion issue and they will vote against it, as well they should. Those of us who consider ourselves pro-choice will discuss the issue and we'll support it and it will be over with. I can't see not allowing a vote to take place on the resolution.

**The Chair:**

Mr. Ferlo, that's my ruling. Do you want to challenge the Chair?

**Mr. Ferlo:**

So challenged.

**Mr. Pollock** seconded the motion.

**Mr. Coyne:**

Could you explain what the two choices are? I'm not sure —

**The Chair:**

The Chair has ruled that this is out of order and it has been challenged.

**Mr. Coyne:**

I'm against the challenge.

**Michelle Madoff:**

If you're with Mr. Ferlo, you vote yes. If you aren't, you vote no. And I'm going to abstain on the basis that I will introduce a resolution not to have any of this before Council ever again.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo                      Mr. Pollock

AYES 2                      NOES 6

VOTING NO:

Mr. Coyne                      Mr. Wagner  
Mr. DePasquale              Mr. Woods  
Mr. Lyons                      Mrs. Masloff  
                                    (Pres't)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Michelle Madoff:**

Madam President, a ruling please. At what point would it be appropriate for me to have a floor motion that none of this, either position, be introduced before Council? You cannot rule Mr. Pollock's position out of order and then let other people come before Council —

**The Chair:**

Michelle, put that in writing and submit it to us.

**Michelle Madoff:**

I will do that. Mr. Perry, would you get that ready for me, please? Thank you very kindly.

**Mr. Ferlo:**

And that motion will be illegal and I'll go to court if I have to. You cannot limit debate or an ability of a legislator to come to this table and propose anything. You can vote it up or down, you can be against it; but you cannot in any way limit — You're not going to limit my ability to bring any issue to this table; I can tell you that right now, Michelle. There are some things we may not want to talk about, and that's a separate issue from allowing a Councilmember to raise the issue.

**Mr. Woods:**

Point of order, Madam President. You have made a ruling and I assume we are going to go on with our regular order of business. We can discuss that whenever that bill comes up.

**The Chair:**

Our next order of business, Mr. Ferlo, you have a resolution.

**Mr. Ferlo:**

I'd like to ask Evelyn Patterson to come up here, please, from the Senior Citizens Health Care Coalition.

Madam President, I'm very honored to have as my first resolution as a newly elected official to this body the following resolution.

**Mr. Ferlo presents**

No. 68 WHEREAS, the Senior Citizens Health Care Campaign is a three year old, Pittsburgh based non-profit coalition formed by the Pennsylvania Alliance for Jobs and Energy and the Pennsylvania Public Interest Coalition, working to address problems in the health care field for

older Americans, problems such as skyrocketing costs, patient rights and access to care; and

WHEREAS, the elderly are the fastest growing age group in the Pittsburgh region, and have higher health care costs and lower incomes than any other adult age group; and

WHEREAS, every medical insurance program sets rates which doctors must accept if they wish to be included; and

WHEREAS, even though Medicare's rates are reasonable and adjusted annually, only 30% of Pennsylvania's doctors accept Medicare's reasonable charges all the the time; and

WHEREAS, Pennsylvania seniors were overcharged \$61 million in out-of-pocket expenses by Medicare-participating doctors in 19186; and

WHEREAS, these enormous overcharges severely restrict older people's access to needed health care, causing unnecessary pain, suffering, and even death; and

WHEREAS, other state governments have taken effective legislative steps to curtail Medicare overcharging and the City of Pittsburgh and its many medical institutions are known as national and international leaders in the health care field.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the efforts of the Senior Citizens Health Care Campaign and calls on the Commonwealth of Pennsylvania to enact a law requiring all licensed physicians to charge Medicare beneficiaries no more than Medicare's reasonable charges, ensuring access to needed quality health care regardless of

income; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh urges the appropriate committees of both the Pennsylvania House and Senate to conduct a public hearing in Pittsburgh on this issue so that citizens and organizations may present their viewpoint in support of medicare overcharge legislation.

**Mr. Ferlo** moved to adopt the resolution.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Just briefly, I do want to let you know that Alan Kukovitch is a State Representative from Manor, Pennsylvania, West Moreland County, and will be the prime sponsor. I did have a meeting with State Representative Tom Murphy of the North Side and he's willing to also introduce the resolution.

At this time, I'd like to introduce Evelyn Patterson who is the spokesperson for the Senior Citizens Health Care Campaign for a brief comment.

**Ms. Patterson:**

We Seniors in Pennsylvania have named this act that we want to go through MOM, that's Medicare Overcharge Measure. It's surprising how many senior citizens die from lack of medical attention due to the fact that they cannot afford to pay high doctor bills. If we get MOM passed it will mean so much to all of us. No senior citizen will be turned away for lack of medical insurance. Medicare itself does not pay all of what the doctors are asking for.

Many Seniors, it's up to them



whether they go to a doctor or whether they have food on their table to eat. It may sound foolish, I guess, you say, people aren't like that. But if you are around many Seniors, you will see that they have to go without a lot of things that are really necessary to their health. Telephones have been given up because they can't afford it. Lots of Seniors have to stop and think, will I eat or will I keep warm. This is a tragic thing.

Seniors don't like to be noted as a needy person, poor; they call us everything. But I want each of you to know, we have paid our dues to society and we're just asking you to please help us to get MOM passed.

**Michelle Madoff:**

Mr. Ferlo, I want you to know that I'm a member of AARP and I have spoken before the AARP Association and one of the issues that we addressed last year and I will be back to talk to them about, we are an aging society. When you get to be 60, you're middle aged, prime, and we have the largest vote in the nation and if we put our strength together we will get what is right. A nation is judged by how it treats its children and its senior citizens. Thank you for being here.

**Mr. Ferlo:**

I just want to thank members of Council for their support and, Madam President, I didn't make it part of the resolution but could we communicate this resolution to Governor Casey and members of the House and Senate and the Allegheny County Delegation.

**Michelle Madoff:**

And could we have it please go to all the members of the AARP groups in

the area and invite them to be present at the hearing, please?

**The Chair:**

Of course they're not going to be called senior citizens anymore; they're special population.

**Michelle Madoff:**

Thank you. I agree with that because we're only youngsters.

**Mr. Coyne presented**

No. 43 Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation, and Finance, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with Bell Atlantic Mobile Systems, Inc. to allow installation of Mobile Telephone Equipment at 6720 Stanton Avenue in Highland Park, for a one (1) year period, with an option for two (2) additional years. The purpose of this installation is to guarantee telephone service throughout the Highland Park area.

**(PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 6, 1988)**

Which was read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 44 Resolution Repealing Resolution No. 126, effective February 25, 1987, entitled: "Providing for a Contract or Contracts or use of existing Contracts, for Construction of a Parking Lot for Fowler Pool and Park at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account CDEC 86-53." The \$70,000.00 in this Resolution has been reprogrammed for additional monies needed for Construction of the West Penn Pool and

Recreation Center. The Parking Lot Construction will be done by City Forces.

Also,

No. 45 Resolution amending Resolution No. 1255, effective December 31, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Swinburne Street Bridge; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements. and by increasing the total allocation by \$25,000.00 (from \$80,000.00 to \$105,000.00).

Which were read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 46 Resolution providing for the issuance of a warrant in favor of Triangle Roofing, Inc. in the amount of \$3,500.00 in payment of Emergency Repairs to the Aviary Roof, payable from Code Account EC 87-48. (PRIOR APPROVAL GRANTED BY COUNCIL AUGUST 4, 1987)

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 47 Resolution instructing the City Solicitor to communicate to the Secretary of the DER a request of an INVENTORY OF UPSTREAM CONTAMINATION THREATS TO DRINKING WATER SUPPLIES AND AN EMERGENCY PLAN OF ACTION and instructing the Director of Water and the Director of the Water and Sewer Authority to conduct water quality testing at the riverfront and bed near the Harrison Township lindane flow and the Bruin Lagoon-Bear Creek site. — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Water.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lyons seconded the motion.

Michelle Madoff:

I would like to oppose that and I'll give my reasons. I think it's a outstanding resolution and I will probably be voting in favor of whatever action comes out of the meeting, but we need a little time. I have a meeting tomorrow with some of the people who are going to be doing some grab samples. I've been talking to the Water and Sewer Authority to have some documented evidence of the actual dilution, what the readings are. I, of course, have always been a proponent of a healthy environment; I don't want to see anything going into outfalls. I remember in the old days, in my environmental days, David Nixon went down the rivers and the outfalls burned his hand. We need a little time; this Wednesday would be too quick.

**Mr. Ferlo:**

Michelle, if you support the attempt to clean up the rivers then you should support the resolution. All this resolution does is get us, officially as the City of Pittsburgh, to do some of this water testing.

**Michelle Madoff:**

I don't need a resolution to do that. I can do it just by being head of the Water Committee and any member of this Council, it doesn't have to be head of the Water Committee —

**Mr. Ferlo:**

Michelle, if you don't have an objection to the resolution —

**The Chair:**

Michelle, what is your pleasure?

**Michelle Madoff:**

I'm just saying, just let it run to a week from Wednesday, that's all.

**Mr. Woods:**

There's a motion on the floor.

**Michelle Madoff:**

The motion on the floor is to hear it Wednesday. I'm only asking that we just let it go in the normal procedure.

**The Chair:**

Mr. Ferlo's motion has been seconded. All in favor? Opposed?

**Michelle Madoff:**

I'll make it unanimous.

**Mr. Ferlo:**

Thank you, Michelle.

WHICH MOTION PREVAILED.

**Mr. Lyons presented**

No. 48 Resolution amending Resolution No. 412, effective May 18, 1987, entitled: "Providing for an Agreement or Agreements with the Northside Common Ministries for the furnishing of professional services in connection with their Food Pantry Program for the benefit of the needy residents of the City of Pittsburgh during 1987, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services in the Department of City Planning, and transferring \$10,000.00 from Code Account 45, Health Insurance to Code Account 1103, Miscellaneous Services, Department of City Planning," so as to add 1988 as a contract year.

Also,

No. 49 Resolution amending Resolution 883, effective August 25, 1987, entitled: "Providing for an Agreement or Agreements with the Pittsburgh AIDS Task Force, Inc. for the furnishing of professional services in connection with its programs of advocacy services, emergency fund, education, risk reduction and other programs of awareness and compassion for the benefit of all the residents of the City of Pittsburgh during 1987 at a cost which is not to exceed \$40,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services in the Department of City Planning, and transferring \$40,000.00 from Code Account 10, Accounts Payable - Prior Years to Code Account 1103, Miscellaneous Services in the Department of City Planning," so as to

add 1988 as a project year to the Agreement.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 50 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain Delinquent Earned Income and Home Rule Taxes.

Also,

No. 51 Resolution providing for the issuance of a warrant in favor of Evan Pattak in the amount of \$490.00 for consulting services rendered to Mark H. Pollock, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council.  
—(SPONSORED BY MR. POLLOCK)

Also,

No. 52 Resolution designating banks and lending institutions to act as depositories for the year 1988 in accordance with the Pittsburgh Code, Title Two - Fiscal, Article III, Depositories.

Also,

No. 53 Resolution amending and supplementing Res. No. 1094 of Dec. 31, 1987, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by decreasing ULO allocation to the YMCA of Pittsburgh (Garfield) from \$12,000 to \$10,000, and adding a new line item, Bloomfield Garfield Corporation to be funded at \$2,000. —  
(SPONSORED BY MR. POLLOCK)

Also,

No. 54 Resolution Repealing Resolution No. 38, Item C, approved February 2, 1987, which authorized the sale of property in the 11th Ward, being a 2-1/2 Story, Brick house and Frame Garage, located at 5536 Baywood Street, designated as Block 83-B, Lot 96, to Michael G. Richer and Mary Ann Keller, his wife, for the sum of \$7,500.00. The reason for the above Repealing Resolution is that the former owners, James M. and Gerard L. Davia, are redeeming the property. As per Court Order, the sale must be cancelled, and all monies returned.

Also,

No. 55 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money.

Also,

No. 56 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 57 Communication from Mayor Richard S. Caliguiri, requesting authorization for James Simms to attend the National Forum for Black Public Administrators Conference in Fort Worth, Texas, April 24-27, 1988, at a cost not to exceed \$1,500.00, payable from Code Account No. 1017, Miscellaneous Services.

Also,

No. 58 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meetings of the Pennsylvania Service Delivery Area Association and the State Job Training Coordinating Council in Harrisburg, PA, January 26-27, 1988, at a cost not to exceed \$450.00, payable from the JTPA-1 Trust Fund, federal funds.  
**(PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 11, 1988)**

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 59 Resolution granting unto Mr. E.D. Goslin, 219 Dasher Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a parking area on a portion of the Right-of-Way of Waino Way from the closed portion of West Lacock Street to General Robinson Street in the 22nd Ward of the City of Pittsburgh.

Also,

No. 60 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Robert Lewis and Darryl Mabrey to attend the Governmental Refuse Collection and Disposal Association Chapter Meeting at the Penn Harris Inn & Convention Center in Camp Hill, PA, January 26, 1988, at a cost not to exceed \$40.00, payable from Code Account No. 1181, Miscellaneous Services. Permission is also requested for use of a City vehicle.  
**(PRIOR APPROVAL GRANTED BY COUNCIL JANUARY 12, 1988)**

Which were read and referred to the Committee on Public Works.

**The Chair presented**

No. 61 Resolution providing for authorization to advertise for, award and enter into contracts or use existing contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies in conjunction with the regulation and utilization of the City of Pittsburgh's Cable Communications System at a cost not to exceed \$125,000.00, chargeable to and payable from the Community Communications Trust Fund, Bureau of Cable Communications, Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 62 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the proposed construction of the United States Post Office facility located at Allegheny & Pennsylvania Avenue. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 63 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the proposal made by West Penn Hospital to install a 772 car parking lot in Lawrenceville. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 64 Communication from Charles T. Blocksidge, Ph.D., Director of Property Assessments, County of Allegheny, submitting the CERTIFIED total assessments of land and building for the City of Pittsburgh.

Which were severally read, received and filed.

**Michelle Madoff:**

May I ask a question that you clarify it for me, please? On the last bill that was introduced, Mr. Blocksidge, on the assessments, I don't know whether anybody else on this Council, and if you've been reading the letters to the editor, people were saying there were no taxes raised by the County but everybody was reassessed two years in a row. I would think that since our income is based on the assessments and there's so many appeals taking place, that I would like to request, and I understand that it is appropriate and legal for any member of Council to request a hearing. We don't need a petition.

I would like to request a hearing on the reassessment, have Mr. Blocksidge here to explain why people are being assessed two years in a row, what is happening, and make sure the public knows about that hearing. So, may I have that as a request as a member of this body?

**The Chair:**

Is there a second?

**Michelle Madoff:**

You don't need a second. A hearing may be requested by any member of Council.

**Mr. Perry:**

You have to have a majority of the members --

**Mr. Woods:**

You have to get a second.

**Mr. Pollock** seconded the motion.

**Michelle Madoff:**

I can't imagine anyone opposing.

**Mr. Ferlo:**

Could you just restate what the hearing is for, Michelle?

**Michelle Madoff:**

The hearing is merely to address the terrible issue of the fact that people are very concerned about having to give up their homes and they've been assessed two years in a row. Many people are applying because of the options that have taken place to have their assessments lowered. It's going to affect the total income to the General Fund and we need to have some feeling of what has happened; nobody knows.

**Mr. Ferlo:**

Madam President, the reason I'm going to support this is that I think it's unfortunate that County Commissioners have told the citizens that there's no tax increase and then a week before Christmas everybody gets a reassessment. So, I support having the public hearing.

**The Chair:**

Yes, but whether we have a hearing or not, it's a fact, and I can't see that a hearing will accomplish anything. The people know what's happened; they know that it's the County that has changed the assessments. However, if it's your pleasure --

**Michelle Madoff:**

I'd like to have a hearing, if I can, please.

**Mr. DePasquale:**

Madam President, if I may. I'm not opposed to the resolution with the exception that I talked to Charlie Blocksidge, as I think every member of Council did, especially those in those wards that were affected. Obviously he said that the only route to go was the appeal route and the forms are available over there. I don't know what purpose a hearing would serve but, at the same time, I'm not opposed to it because, obviously, I'm concerned with that increased assessment. As Madoff said, on one hand they're saying no tax increase and the County, which sets the taxes for the City, sets about to raise them.

**Michelle Madoff:**

My understanding, from the calls that are coming into my office, Mr. DePasquale, is that the assessments took place two years in a row. They were assessed one year and assessed the next year. And I want to get that clarified and why that happened.

**Mr. DePasquale:**

It takes place every three years, Michelle.

**Michelle Madoff:**

I know, but this was two years consecutively, and I want to know what's happening. And I want to get a feeling for the people that are appealing for example, in the Gateway Building there's a body of people who are now saying these apartments that sold for 284 are selling for 84. We don't want to pay more than —

**The Chair:**

Do you have a motion for a

hearing?

**Michelle Madoff:**

That was my motion.

**The Chair:**

Is there a second?

**Mr. Ferlo:**

There is a second, Madam President. And again, before you vote on it, those members of Council who don't want to participate in the hearing don't have to come. So please support this.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Michelle Madoff:**

Let this go down in the records of history that in 1988 Michelle Madoff had a unanimous vote.

**Mr. Woods:**

Change my vote, Madam President.

**Mr. Ferlo:**

Madam President, Mr. Perry read into the Record a receipt of a petition from the Lawrenceville residents on the shopping center parking lot debate. I know a number of residents have called my office and possibly other members, they've been calling Mr. Lyons, requesting an evening meeting, a public hearing in the evening so that the people from that community can participate in the discussion.

I know Mr. Perry and the staff do not want to work in the evening but Council staff members are on salary and I would encourage them to at least grant this hearing in the evening.

So, Madam President, I would like to make a motion --

**Mr. DePasquale:**

Madam President, we have three resolutions in front of us. What Jimmy is talking about he can talk about after --

**The Chair:**

He's talking about the petition --

**Mr. Ferlo:**

I just wanted to ask that this public hearing be held in the evening on the Lawrenceville issue.

**The Chair:**

Well, you know there's a question of time and a half for the employees. It's a problem.

**Mr. Ferlo:**

Why do you need time and a half? Most of the Council staff people work as their paid, salaried staff people.

**The Chair:**

Not for overtime.

**Mr. Ferlo:**

There are many employees throughout the City who work above and beyond the eight hour day.

**Mr. Woods:**

Madam President, point of order. We haven't voted on receiving the bills yet, that were read, and people are making motions on top of motions.

**Mr. Ferlo:**

I'm only making one motion.

**Mr. Woods:**

You're one person that made one motion.

**The Chair:**

We've received and filed the hearings, Mr. Woods.

**Mr. Woods:**

We didn't vote on that yet.

**Mr. Ferlo:**

Yes we did.

**Michelle Madoff:**

Excuse me. Isn't that something that the President of Council decides? You may ask the question, you ask it



publicly at the end of the meeting and request it, and then it's up to the Chairman to make that decision.

**The Chair:**

Are the petitions for the hearing in order, Mr. Perry?

**Mr. Perry:**

The petitions are in order for a hearing. Yes.

**The Chair:**

And I will set the hearings.

**Michelle Madoff:**

Thank you.

**Mr. Ferlo:**

And, Madam President, once again I am requesting that you please consider the request of the Lawrenceville residents in holding the public hearing in the evening. I'll drive Mike Perry home.

**Michelle Madoff:**

I will second that.

**The Chair:**

I will take it under advisement.

**Mr. Wagner:**

Madam President, I would like to make a motion for the same hearing, the Lawrenceville hearing, to be televised.

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

Thank you, Mr. Wagner, for reminding me of that.

Call the question on the motion.

**The Chair:**

I said I'd set the public hearings.

**Mr. DePasquale:**

We're voting to televise it.

**The Chair:**

Oh, to televise it. Sure; no question about that. I don't think there will be any objection; however, we'll have a vote if you want to have that particular meeting televised.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

#### UNFINISHED BUSINESS

**Mr. Pollock presents**

No. 28 Communication from Mark Pollock amending the Rules of Council by deleting a portion of Rule 8-a which requires "that printed copies of bills be

sent to each Councilmember's home at least 48 hours prior to the regular or special meetings" and inserting "Printed copies shall be delivered to each Councilmember's office".

Mr. Woods seconded the motion.

(COMMUNICATION FROM MR.  
POLLOCK - BILL NO. 28)

January 6, 1988

President and Members  
Pittsburgh City Council  
5th Floor  
City-County Building  
Pittsburgh, PA 15219

Dear President and Members of Council:

In accordance with Rule XII of the Rules of Council, this is to give you notice of my intention to seek a change in the Rules of Council on Monday, January 18, 1988. The proposal is as indicated below:

**RULE VIII.**

a. ...When returned therefrom, such bill shall be printed and a copy (mailed to) delivered to the Council office of each member at least forty-eight hours previous to a regular meeting of Council, or when possible, twenty-four hours previous to a special meeting of Council.

This change would eliminate the current policy of copies of bills being mailed to the Council Member's homes at considerable expense to the City. This practice is all the more desirable because the copies frequently do not arrive at the homes until after the votes on the legislation have already occurred.

I would be grateful for your favorable consideration of this logical and desirable amendment.

Yours very truly,

Mark H. Pollock

MHP:msy

cc: Mike Perry, City Clerk

(END OF LETTER)

**Michelle Madoff:**

I have a problem with that. Discussion. I concur with Mr. Pollock because, frankly, it arrives after the fact. We get one in our office, there's one out here, and the printing costs are just getting ridiculous. Unfortunately, though, and the Councilmembers who have been here for a number of years and have X number of vacation weeks, what happens if you're ill and you don't have it? Providing you put a provial in that any member who is on vacation or out ill would have their either delivered by the driver or somehow get that copy through their aide or something, that they make an effort to see that that happens, I would support the bill, with that amendment.

**The Chair:**

It seems to me that if it's delivered to your office your aide would see that you get it. I don't see that that has to be a motion.

**Michelle Madoff:**

I'm just concerned that sometimes you get very busy. I would like to make sure that there's just a follow up and that we all get them, that's all. I don't have a problem with it. They come after the fact anyway.

**Mr. DePasquale:**

Point of order, Madam President. I

think the sending of that material is absolutely ridiculous and a waste of postage. But at the same time, and I have to refer to the Chief Clerk, is there a law on that, Mike, that it has to be sent?

**The Chair:**

It's a rule of Council and this is a bill to change the rule.

**Mr. Wagner:**

I have a comment, please. I'd like to ask the City Clerk, periodically it is late, and why is that and why can't that be corrected?

**Michelle Madoff:**

I've been asking that for nine years.

**Mr. Perry:**

Well sometimes an employee is off sick —

**Michelle Madoff:**

A patronage employee.

**Mr. Wagner:**

Point of order, Madam President. I've asked Mr. Perry to respond.

**Mr. Perry:**

There are times an employee is off sick, suspension of Rule 8 on a lot of bills. Otherwise, there's no excuse why they're late.

**Mr. Wagner:**

What percent of the time do they come late and can that be corrected?

**Mr. Perry:**

It could be corrected. The only thing is, when we have our Monday meeting and meet again on Wednesday, it all depends on how many bills we have. It could be corrected; everything could be corrected.

**Mr. Wagner:**

The reason why I mentioned this is, I, for one, have always enjoyed receiving that and the bills to be introduced on Monday, particularly the bills being introduced on Monday since the Mayor's Conference Meeting no longer takes place on Monday morning. But the bills themselves are a reminder and a refresher of each and every bill that's on the agenda and will be up for final vote that Monday. Generally speaking, I have received it on a Saturday at home. If that can be corrected, I think we should continue with that procedure, particularly because we do have three new Councilmembers and they have not even experienced this procedure and now we're voting on it. Maybe, in fact, they would appreciate getting those bills, a second copy of those bills.

**Mr. Perry:**

As far as getting the bills earlier than Saturday, I don't know.

**Mr. Wagner:**

I'm not saying we would. But what I am saying is, when you see a final copy of all legislation to vote on Monday, the only other time you see it is when you come in and sit down at this table prior to the meeting. That's the only time we get a copy of all those bills. True, we do vote at the Standing Committee Meeting on Wednesday; many bills are held at that meeting and sometimes we're not sure which bills are coming up for final

vote and which bills are not.

**The Chair:**

Those bills will all be put in your box on Friday so that you'll have a chance to see them before Monday as an alternative to mailing them because they never get there. Then we'll be sure to have them.

**Mr. Pollock:**

I've been on Council for two years and my bills have only arrived on Saturday maybe about six times and the rest of the time they've come Monday, Tuesday or Wednesday. To make extra copies, you're talking about photocopy cost, you talk about postage cost, manpower, one of our assistant clerks sitting there rolling them up, trying sometimes to have two packages mailed out, and the amount of expense involved is ridiculous to mail out nine of these when, many times, it's out of Mr. Perry's hands and it's in the hands of the Post Office and these don't always get delivered on time. So, as I said, I've only received them on time about a half a dozen times in my two years. I think it's an extreme waste of the resources of the City, of postage, of photocopying and of manpower, and it's ludicrous if these can't be hand delivered to our office. And if you ask Mr. Perry for a recommendation, he's already told me that he supports the idea to amend this and, in fact, has encouraged me on this.

**The Chair:**

I agree with you, Mr. Pollock.

**Mr. Woods:**

I just want to say that I agree also. I think it's just as easy — Mr. Perry could have them in our boxes Thursday, Friday morning at the latest.

**Michelle Madoff:**

Madam President, not only do the bills arrive after we've left for Council on Monday but the letter from the Law Department that introduces the Administration bills or the Committee bills that come to us ten days in advance come after the fact; I don't get those until several days later.

I don't know whether you're aware or all members of Council are aware, but I instituted a policy about eight years ago when I realized that if I wanted to do my job I'd better know what's going on. Mike was very gracious, and so was Linda Johnson, to provide me, as soon as possible, with copies of every bill. What I do is take my Wednesday list, my Finance Meeting list, go down, see what's important. They're numbered, they're in numerical order, and pull them out when I want them to look at them, and that has probably been the most effective, the most enlightening way of being a productive member of this Council.

I know Mark gets the bills; I believe Jack Wagner gets them too. I told him about it when he got to Council. I get them; I don't know if the others have requested it. But if you haven't requested it, may I strongly suggest that.

I'd like to end on one note; Mike Perry is a gentleman and I think he doesn't want to ruffle anybody's feathers. The fact remains that one of the reasons we don't get some of this material, and it isn't just this excessive amount of postage and work and money that it costs, there are a lot of things that don't happen; the transcripts are not up to date. It wasn't until we computerized, and I believe we're going to go to a new laser printer very shortly. One of the handicaps was the fact that Mr. Perry did not choose his own people; they are chosen by a

patronage system of this Council and some are better than others and nobody ever tested them to see if they were doing the job or could do the job to begin with.

**Mr. Ferlo:**

I don't think we should attack the staff, Michelle.

**The Chair:**

I don't either. Your comments are out of order, Michelle.

We have agreed, whatever the reason is, —

**Michelle Madoff:**

May I finish my sentence please? My sentence is that now that we have a new bill before us, that regulates both the Controller and Council, that should not happen. Everybody will be tested.

**Mr. Ferlo:**

I support Mr. Pollock's resolution mainly because I think staff time would better be spent at evening public hearings.

**Mr. DePasquale:**

Call the question on the bill.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### REPORTS OF COMMITTEES

**Mr. Pollock presented**

Bill No. 65

Report of the Committee on Finance for January 13, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 18

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Seven Hundred Eighty-Eight Dollars and Eighty-Nine Cents (788.89) to the Commonwealth of Pennsylvania representing final payment required for unclaimed funds for the year 1979 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Madam President, I have another item and I don't know — Should I do it later?

**The Chair:**

Yes, after the resolutions. Do you want us to read them individually?

**Michelle Madoff:**

I think we should take them individually.

**The Chair:**

We'll read all the resolutions, the three that Mrs. Madoff is submitting and then we'll vote on them individually.

**Mr. Woods:**

Point of order, if I may, and I know that I have them in front of me. Before you read them, Mr. Perry, if I may, Madam President, address Councilwoman Madoff. If you're introducing as a wish of Council, I'll understand that. But if you want Council to act on these bills, these resolutions, if they pass, and we would hire someone, I have a suggestion that you put that in the form of a bill, reintroduce it on Monday like a proper piece of legislation; therefore, it would have some teeth and we would have to hire them, if it passes. The way you're doing it now, it's just a wish of Council and it doesn't mean anything.

**Michelle Madoff:**

I'm glad you raised that issue because I asked Mr. Perry how to do this and I was told to do it this way.

**Mr. Perry:**

Michelle, the reason I said to put it this way, if these resolutions pass, that means that Council is going to amend the budget, when they do that in late February. These position will be included in the budget if these three resolutions pass.

**Michelle Madoff:**

If these go in today, they are addressed as resolutions. They can go in today as resolutions, I can waive Rule 8, they can come up on Wednesday. Otherwise, how are we going to find the funds?

**Mr. Woods:**

Mr. Perry and I may disagree but my opinion would be to introduce them as bills on Monday. It would come up in a regular Wednesday meeting, we'll argue

the point, and then we find the funds.

**Michelle Madoff:**

Today is essentially Monday.

**Mr. Woods:**

Mr. Perry is right; at the end of February we'll be amending the budget again and you have a month and a half. That's my opinion.

**Michelle Madoff:**

I just said, let's go the route of introducing them as bills, as resolutions today. I'll waive Rule 8, they'll come up on Wednesday and we go the normal procedure. I was told I couldn't do that.

**Mr. DePasquale:**

Point of order, Madam President. Mr. Perry, bills of this order have been brought up before in the manner in which Mr. Woods explained. Why are we setting a precedent this time saying we should do it —

**Mr. Perry:**

We've done it this way before, Mr. DePasquale. One time, in fact, a legal advisor resolution was passed.

**Mr. DePasquale:**

I'm saying, the bills that we're talking before, this isn't the first time Michelle Madoff mentioned a fiscal advisor. We've always done it by ordinance.

**Mr. Perry:**

But what I'm saying, Council's legal advisor was passed this way and it was put in Council's budget.

**Michelle Madoff:**

Are you saying it's too late if we go through the normal route to get —

**Mr. Perry:**

No, what I'm saying is if Council amends the budget, they have six weeks to amend it after its enacted, and if you amend the budget prior to the end of five weeks, that's one time for Council and that's it. If Council has other amendments they just won't be able to do it.

**Michelle Madoff:**

Mr. Perry, if we introduce these today, which is Monday, essentially, as bills, and I waive Rule 8 and they come up on Wednesday, then we go through the normal procedure and we still have time to amend the budget; do we not?

**Mr. Perry:**

If you come in Monday, you are going to be amending the budget. That's what you're going to come in with, amending the budget. The reason I said to do it this way, if Council approves these three bills, when Council amends the budget within five weeks, these titles will be put in the budget —

**Michelle Madoff:**

And they won't be if we go the other way?

**Mr. Perry:**

The other way it will just be amended to the budget.

**Mr. Woods:**

The way I interpret it is, this way, it's a will of Council. Then you'll have to

make another motion again, you have to fight to amend the budget. If you put a regular bill in, then it must be in there if it passes. And then we amend the budget. But this way - I believe you're unhappy because I'm against it - then you have to fight again -

**Michelle Madoff:**

Of course you're against it.

**Mr. Woods:**

But I'm trying to help you; let me help you.

**Michelle Madoff:**

With help like this, I don't need enemies.

**Mr. Woods:**

What's going to happen is, you're going to fight this battle again. If it's a wish of Council, then when you go to amend the budget, then you have to come in with legislation just like this to amend the budget. But if you come in with legislation now, then it is law and then the budget is amended. Don't you understand what I'm trying to say? All you do is put it in.

**Mr. Pollock:**

First of all, I think that after Michelle prepared these, and I've discussed this matter with her, she agreed with me that her language was wrong in this anyway because the language she has in here for the three positions is hiring which, by definition means, they would be going on the payroll, which means, in addition to the \$40,000 she's talking about, you also have their fringe benefits which then lifts the ante on these prices even more. She agreed that they would not be employees

of the City but would be retained as consultants. So, I think they have to be redrafted anyway and I would ask that she withdraw them to amend them in concurrence with that language.

**Michelle Madoff:**

The reason I was doing it this way, Madam President, is that I felt we were being stampeded to meet a budget date and I didn't want to miss the opportunity. I was promised by the majority of this Council, particularly the new members, that they wanted a professionalized Council. I spoke with you about it, I've spoken with other members of this Council, that we would get a fiscal analyst, we would get legal counsel, that we had, finally, five votes. Despite Mr. Woods' feelings, people like Mr. Wagner have introduced bills previously to have legal counsel; I don't need to take credit for it. There's enough credit to go around for everybody. But we need to professionalize this Council.

I was told to do it this way because it's the only way we can meet the deadline of the budget. If it is not the only way, I would prefer to introduce these with an amendment just saying consultants as opposed to hiring and have them go in today. That would be my wish.

**Mr. Perry:**

What you're telling me, you want to amend the budget to include consultants instead of hiring employees.

**Michelle Madoff:**

That is correct.

**Mr. Perry:**

We'll amend the budget next week.



**Michelle Madoff:**

No, we can submit them today with the amendment.

**Mr. Woods:**

No you can't. You have to do it like I told you, next Monday.

**Mr. Pollock:**

The way, if, in fact, Michelle does intend to make them consultants, it would be very simple to just increase the one line item for professional services.

**Mr. Perry:**

You still have to amend the budget, Mark.

**Mr. Pollock:**

I know; amend the budget by increasing the amount in that one line item.

**Mr. Woods:**

We have to have it by legislation, not by resolution.

**Mr. Pollock:**

I know; I agree. So, what I'm saying is, it should be withdrawn today, it should be resubmitted as one piece of legislation increasing the one line item for professional services for Council, consulting fees, by increasing it by \$120,000. That would be the legislation.

**Michelle Madoff:**

I don't have a problem with that, Madam President. The only thing I have a problem with is time-frames.

**Mr. Wagner:**

Madam President, point of order. Is there a resolution on the floor or not?

**The Chair:**

We're discussing this.

**Mr. Perry:**

I'm going to say this one more time. The reason, Michelle, the reason we put in three separate resolutions, read and adopted, consent of Council, is, if these three resolutions are passed, then whenever the budget staff amends the budget in five weeks, a person for engineering, a person for legal advisor and a person for fiscal analyst would be included in the budget. That's the reason we're doing it this way.

**Michelle Madoff:**

I understand, Mr. Perry. But I have been asked by Mr. Woods to do it in the other manner. I understand that you helped me in good faith; I am not being critical. My concern is time-frame. If we go the other route, will we still have the time?

**Mr. Perry:**

Sure we will.

**Michelle Madoff:**

Incidentally, it should say, not to exceed \$40,000, as opposed to, at the rate of \$40,000. We might get someone for \$20,000.

**The Chair:**

You're going to withdraw these resolutions then?

**Michelle Madoff:**

I would have liked to have had them ready to introduce - today is Monday, essentially - but you would not permit them.

**Mr. DePasquale:**

Madam President, point of order. Before the resolutions are withdrawn, Mike, in resolution form I don't believe the Mayor has veto powers, but in ordinance or legislation form he does.

**Mr. Perry:**

That's correct.

**Mr. DePasquale:**

So if we pass the resolution today, it can't be vetoed.

**Mr. Perry:**

We can't do it this way, Jeep. We have to do it in resolution form to give the Mayor the opportunity to approve or disapprove the budget item.

**Michelle Madoff:**

But if we go this way, he doesn't have veto power.

**Mr. Perry:**

What I'm saying, Michelle, if we go this way, this gives the budget staff permission to include that in the amendment to the budget.

**Michelle Madoff:**

And it doesn't give them permission if we go the resolution way to amend the bill?

**Mr. Perry:**

He can veto it.

**Michelle Madoff:**

Can he veto either way?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

Then let's reword them to say, not to exceed \$40,000, and to be consultants.

**Mr. Perry:**

Okay.

**Michelle Madoff:**

Thank you. And we'll introduce them Monday. But what I was saying way to amend them and introduce them today because today is Monday, so that we don't wait until next Monday. That's all I was asking.

**The Chair:**

Are you going to withdraw these three resolution and present them next week?

**Michelle Madoff:**

I want to present these resolutions today instead of next Monday.

**Mr. Perry:**

You can't do that, Michelle.

**Michelle Madoff:**

I can't do that? Then re-do them and do it for next Monday. Fine. All done.

**The Chair:**

Are you withdrawing them?

**Michelle Madoff:**

That is correct, Madam President.

**Mr. Ferlo:**

At what point of the agenda are we on, Madam President?

**The Chair:**

We're on Motions and Resolutions.

**Michelle Madoff:**

I have an item. Madam President, I was in Shadyside this summer eating outside at one of the nicer restaurants; actually, I was having a cold drink with some friends and some hors d'oeuvres. Sitting right across from this particular restaurant, whose name I don't want to mention on camera, was another restaurant that's had a fence. The door was ajar, garbage was coming out into the street. I took a photograph. I know the person involved and I went to this person who is an attorney in this City and said, "I don't know whether you know that your restaurant has little rats going out onto the street in Shadyside and the stench is horrendous." He said, "Oh, I'm so glad you told me; I'll get it fixed." Someone told me last week that it's worse than ever.

I would like to start a camera brigade. I want anybody who is listening in to send me photos, name, place, time, of the garbage that they're seeing, that it should be addressed by the Clean City Committee. Keep those photographs coming; give me the place, the time, and I'll see that they're turned over to the proper authorities and perhaps we can get some of the media who is very, very

interested in having a clean city do something about it and get some of these people cited and do something about cleaning up our City. If the City gets dirty, people don't want to move into it. We have enough trouble with our four percent wage tax; we don't need to have a city getting dirtier than ever.

So, I want a camera brigade. Send me those pictures.

**Mr. Pollock:**

Madam President, on another subject. Yesterday an incident occurred in Lawrenceville which I feel this Council should address. Ironically, it was a racial incident that occurred on the date that this nation celebrates the Martin Luther King birthday.

Specifically, what happened, a gentleman by the name of Christopher Solomon rented an apartment in Lawrenceville and was subjected to racial attacks, bricks through his window and racial slurs called at him to the point that he was forced to move out of the apartment and find another place to live.

I would ask that this Council condemn and deplore this type of activity and that a letter be sent to Mr. Solomon expressing the regret of this Council over the incident, saying it does not condone or accept this type of activity in the City, and offering to assist him in any way possible.

**Michelle Madoff:**

I second that motion.

**The Chair:**

I agree with you, Mr. Pollock, although I read in this morning's paper that he found another apartment and he's living elsewhere. But I agree with you;

we should apologize to him for that.

**Mr. Ferloc**

Could we not, Mark, obtain a letter from the Police as to what the status of their investigation is?

**Mr. Lyons:**

I had sent a letter to Councilman Wagner this morning asking him to investigate the Police Department. The initial efforts — There was no response to the emergency call that was placed by the Solomon family while they were under attack on Saturday evening.

**Mr. Wagner:**

If I may respond. Madam President and members of Council, I have spoken with Director Cannon about the incident this morning and he has told me that he is presently reviewing the situation. Yes, there was a call made to 911. He did indicate, however, that he, himself, has not yet heard the tape but will today, before the day is out, and will be reviewing it. However, he has been told that in the phone call there was no mention of a brick being thrown through the window or racial harrassment. For that reason, there was not the urgency in the response. But he has to make certain that all this is accurate and they will be reporting back to this Council, and I'm sure to the Mayor, on the incident.

**Mr. Lyons:**

I support Councilman Pollock in this effort because this Council, it's not a policy to condone anything that's not Americanism, and certainly any of these incidents that arise, we should stamp them out. And if we can find the culprits, there should be legislation passed to treat them so that we will not have this bigotry and hatred among the

people of the City of Pittsburgh.

**The Chair:**

That's the reason we have judges.

**Mr. DePasquale:**

Call the question on the motion.

**Mr. Pollock:**

On the motion for the letter?

**The Chair:**

Yes. On the motion to send the letter as recommended by Mr. Pollock. All in favor?

WHICH MOTION PREVAILED.

**Mr. Ferloc**

Madam President, I have three brief matters and I'll try to be brief.

First of all, I believe a number of Councilmembers, in addition to myself, have received a petition from the Foremen's Union, Local 2037 of AFSCME, in relation to a dispute or dissatisfaction on the issue of their paid hospitalization. I wasn't around last year so I'm not fully aware of the issue; I've gotten an explanation from some of the foremen involved.

I'm not exactly sure what action I'm asking to take. I think initially I would ask that the President or the Clerk communicate to either the Mayor or Mr. Schneider, whoever the appropriate individual is, to get their interpretation as to what the status is of the foremen's point.

Following that, I would like to review that and then I may have some course of action to take.

**The Chair:**

It's my understanding that that was negotiated. However, we'll get a report for you. Mr. Perry, will you see that he gets a report?

**Mr. Perry:**

Yes.

**Mr. DePasquale:**

On the same issue, as one of the founders of the first foremen's union in the City of Pittsburgh, going back to the little '50's, we were treated like any other employee in the City of Pittsburgh and got all the benefits that they got. It's news to me that all of a sudden now the foremen are singled out and saying that they don't get the proper hospitalization rights, which is absolutely wrong. I don't know why, especially now that they're affiliated, I believe, with AFSCME which is an international union.

**Mr. Ferlo:**

My understanding is that they're being singled out and unlike most employees who have the option to either take the HMO, Health America, or retain the Blue Cross/Blue Shield, they're being told that if they want to continue their Blue Cross/Blue Shield they'll have to spend \$70 or \$80 a month extra. I don't know why they're being singled out and maybe Mr. Schneider's communication to Council can clarify this and then we can take it from there.

**The Chair:**

Mr. Perry, will you see that that goes to Mr. Schneider?

**Mr. Perry:**

Yes.

**Mr. Ferlo:**

To finish my brief time here, I've asked the Clerk to schedule two post agenda sessions; one of them is tomorrow following Council's session concerning the Aliquippa Terrace. Again, I'm a new member of Council, I'm not fully aware of what the actions have been on previous Council nor of the Housing Authority. I have some particular concerns about the conditions of public housing in this City but specifically because the Aliquippa Terrace issue has come up and, as you know, there has been a protest over the weekend.

I do think this is an important post agenda. I would hope that Councilmembers would take the time out of their busy schedules to participate in this session and I hope, Madam President, this is more than a hope, that Mr. Pietragallo will be here tomorrow and supply us with some of the information we requested.

The other point, unrelated to this, is on the post agenda in relation to the City's contract with Chambers, the expiration of our refuse collection and the landfill which I addressed a communication to members of Council. That post agenda is the following Wednesday, on January 27th.

I'm making both of these points, one, to encourage Council's participation, advice and leadership, but also, I am specifically requesting, and I'm not sure how to do this, that these post agendas be televised because I, for one, am tired of citizens not being able to know what's going on in the City except for the regularly scheduled Monday and Wednesday sessions. I've always been on record in support of all public hearings as well as post agenda sessions being televised and I think these are two important issues. Some of them deal

with environmental concerns, some of them deal with concerns affecting low-income people and I would ask, Madam President, that we take a vote, if need be, on the televising of these post agenda sessions.

**The Chair:**

It has always been a policy to not televise the post agendas because they're not structured, there's no order. Nobody is required to be there. That is why they've never been televised.

**Mr. Ferlic:**

I understand that, but I promise to have them in order. There will be order.

**Mr. DePasquale:**

If I may, Madam President. Jim, why don't you call for a hearing? If it's that important and that many people are involved, you're going to have quite a few people at a post agenda and they're not allowed to speak at a post agenda whereas at a hearing they can.

**Mr. Ferlic:**

I think that's good advice; unfortunately, I've already scheduled it and the Clerk has spent a lot of time notifying people. But I think that's a very valuable suggestion and in the future I will ask that some of these hot debates take place in the format of a public hearing. I appreciate that advice. But since these have already been scheduled and the staff has spent a lot of time getting the parties to the table, I will, once again, Madam President, respectfully request that these be televised.

**The Chair:**

We'll take a vote on it. That's been

the custom, to vote on each one because many issues have been televised that have taken up a lot of time that should not have been.

**Mr. Ferlic:**

I make the motion to televise them and we could either vote on them separately or --

**Mr. Pollock:**

Madam President, as you know better than any member of Council, the Cable personnel and crew and cameras are not at our beck and call whenever we want. They have schedules and their own time-frames. And to make a motion at 3:30 on Tuesday to have them present the next day at 11:00 or 12:00 is impractical and is disrespectful of their own schedules and their own prior commitments.

I think that there also is a dangerous precedent being set to talk about televising post agendas. I have supported televising every public hearing, but I think that there's a great deal of abuse that could be perpetrated by televising post agendas when any individual member of Council can call them. I don't have to tell you what could occur closer to election time; we're seeing this now with the State Auditor General as he gets closer to election. His photograph is appearing on billboards and television and so forth. I think it's a very, very dangerous precedent to have one individual member of Council be able to schedule a post agenda and then be able to have it televised as well.

I would suggest to either have post agendas require a majority of Council or to have an individual Councilmember to have that right but that it not be televised because of the fear of abuse.

**Mr. Coyne:**

Madam President, I see the validity of both points that have been made and I feel that Councilman Ferlo has a real strong point in saying that we do need to have these post agenda meetings televised. I think maybe what we could do to prevent abuse would be having to vote on a meeting per meeting basis. That way, as a whole body, we could prevent one member from abusing that system.

**The Chair:**

That's been the policy, Mr. Coyne.

**Mr. Coyne:**

I'm being informed by Councilman DePasquale that they haven't been televised in the past.

**The Chair:**

They haven't been televised because they're not structured, nobody is required to be there.

**Mr. Coyne:**

Couldn't it be made that the person who is calling it would have to present a structure of the meeting as he or her proposes it for members of Council before a vote would be taken as to whether there is validity in calling a post agenda meeting that would be televised?

**The Chair:**

It's only a post agenda. The fact that one Councilmember does or doesn't need people that he invites have to come or even that Councilmembers have to be there.

**Mr. Coyne:**

If a Councilmember feels it's important enough to the community, I feel he or she should be able to have that meeting televised if he or she can get the agreement of other Councilmembers. I think by other Councilmembers agreeing to have it televised, they would, in effect, be committing themselves to coming to the meeting.

**Mr. Ferlo:**

Madam President, I want to thank Mr. Coyne for his support on this motion. I think he has offered a valuable suggestion; that is that members of Council vote individually on each post agenda session.

Mark, everyone talks about democracy and citizen participation and here's an excellent opportunity to extend that further to the citizens of the City of Pittsburgh. In the past you've encouraged town meetings and evening Council meetings out in the neighborhoods. I mean, we could extend that logic, Mark, to the introduction of resolutions which are nothing more than countless accolades on citizens. That's more political than City business which I'm attempting to try to educate not only myself but other members of Council, try to initiate some debate and dialogue with Council directors. And quite frankly, if these post agendas were televised, I think we'd be more assured that Director Pietragallo and some of the other department directors would treat the seriously and would participate.

So, I ask you, Mark, to please, in the interest of citizen participation, letting people be informed of important issues, to please consider supporting this with the recommendation that, as Mr. Coyne has pointed out, and its a good

suggestion, that we do this on each and every post agenda session that an individual Councilmember has requested. I would ask, please, that you consider supporting this.

**The Chair:**

I agree with Mr. Pollock. I think many of these post agendas are called for self-serving purposes and I don't think I could support this.

**Mr. Ferlo:**

I resent that if this is a reference to —

**The Chair:**

It's not directed to you personally but generally that's what ends up happening.

**Mr. Ferlo:**

Madam President, that's the point of having a democratic discussion and a vote. What I'm proposing is that there are two agenda items here; one has to do with Aliquippa Terrace and the condition, or the dilapidation of our public housing in the City. Secondly, it has to do with the issue of the garbage contract. We're all grown-ups here; we can discuss it and we can vote on it individually.

**The Chair:**

If you want to change the way we've been doing business, I suggest that you submit —

**Mr. Ferlo:**

Change is inevitable. That's something good in government.

**The Chair:**

Submit legislation making all these suggestions for whatever you want and then we'll vote on it.

**Mr. Ferlo:**

I just made a motion, Madam President, to televise the post agenda tomorrow on Aliquippa Terrace and next week on the garbage issue.

**Mr. Wagner:**

Madam President and members of Council, I just want everyone to know that there is vehicle and there is a way to bring an issue into the public forum. The Charter gives us that way through public hearings. Now, if anyone here wants to have a public hearing on public housing, for instance, rather than through a post agenda, we can do that. A motion can be put on the floor to televise that public hearing and the same purpose can be achieved. So, I would strongly suggest, until a post agenda, which is initiated by one Councilmember and not a majority, and roll is not even taken at those meetings, I would strongly suggest that we follow what the Charter gives us in terms of the ability to make an issue a public issue.

And if, Mr. Ferlo, for instance, if your post agenda tomorrow or next week merits a public hearing, then put a motion on the floor to make it a public hearing and that public hearing can be televised. But I would strongly oppose, also, the televising of post agendas when nine Councilmembers are not required to be there, when there is no roll taken, when there is no stenographer there taking the minutes of the meeting, and other formal procedures are not followed. However, they can be followed under the heading of public hearing, if the issue is that important.



**Mr. Ferlo:**

I'll withdraw my recommendation based on his suggestion.

**Mr. Pollock:**

As long as we're discussing post agendas, I think it should also be discussed that I would hope that members of Council not abuse this process by calling post agendas and inviting the immediate world to them. Members of the private sector and members of other governmental bodies, and even our own City personnel, receive letters or calls to appear at a post agenda which they might think is an official call from City Council itself, when a post agenda is called by one member of Council and no individual has any duty to appear before. And I think that we should consider what other governmental bodies' prerogatives are and their work schedules, and the private sector, and that we should confine our requests to have people appear here to this Council as a body or to only those that are required. There should be some consideration given to other people's work schedules and their priorities and that this process not be abused.

**The Chair:**

What is your pleasure, Mr. Ferlo?

**Mr. Ferlo:**

I'll take the advice from Mr. Wagner.

**The Chair:**

Do you withdraw your motions?

**Mr. Ferlo:**

Yes.

**Michelle Madoff:**

Madam President, on another matter. I don't know how many people on this Council have been approached; I know Mr. Ferlo has, I know I have, and I believe they tried to see every member of Council. But the Shadyside issue is not going to go away. The Shadyside problem of the garaging, the parking, the business people versus the community with the sticker parking, everybody is out getting petitions. It would seem to me, rather than further fractionalizing the problem, that Council ought to have a hearing, not a post agenda, a hearing on the problems of Shadyside residents and business owners.

I had a meeting today with one of the major developers in the area; I think I've talked to 20 people in a row.

**The Chair:**

We all have.

**Michelle Madoff:**

You know what I'm talking about. They're all out getting petitions and there's some problem with kids going out and taking polls and nobody knows who sent them to take the poll and people are signing different petitions, presumably, and just all kinds of problems. I think we should bypass all of that and deal with the issue.

I would like to make a motion that we hear from the different factions, particularly the Parking Authority, Mr. Lurcott, what the status of the garage is, why it's been held up, what could be done to rectify it. We have the people from sticker parking, and I would like to request that we have a hearing on the Shadyside problems, et al.

**Mr. Ferlo** seconded the motion.

**Mr. Pollock:**

I agree that the problems should be addressed but I think I would remind Councilwoman Madoff that we will have to have a public hearing because it will go up through the Planning Commission. It will come before us anyway.

**Michelle Madoff:**

I'm not talking about the garage only; I'm talking about everything.

**Mr. Pollock:**

The parties involved in the City Planning Department and Commission have decided to include everything in one package and that it's all one big deal, that the parking and the garage and the stickers and the other issues are all together and that it will go up through the Planning Commission that if the people wanted a hearing before Council, they know about the process of having a public hearing, the petitioning. They haven't submitted a petition to us, to request it. I think that we should either wait for a process to be followed, or else, if they want a public hearing, let them ask for one. But I don't think we should call it if they're not ready to have it and they don't want it themselves.

**Michelle Madoff:**

I have been asked to call for one.

**Mr. Pollock:**

I've met with those people and they never mentioned it to me.

**Michelle Madoff:**

I've met with three different factions.

**Mr. Pollock:**

I've met with every faction.

**The Chair:**

It's in the hands of the Planning Commission at the moment.

**Michelle Madoff:**

It's been put on hold, Madam President, and the issue is not going to go away. There are several issues involved; it is beyond just the parking lot, the parking lot is on hold. It involves many different issues and I think that we should all be as informed, no matter where we live in the City, as to what the issue is. This is the tax base of our community. People are threatening to move out and take their four percent with them; we can't afford that. We don't wait until after the fact, until the situation is beyond resolution. I think we can act as mediators, I think we can be productive, and I think if we listen to everybody we can bring people together and that's the role of this Council. I'm asking for a hearing on Shadyside and I have a second to it.

**The Chair:**

I think the first thing we ought to do is get a report from the Planning Commission as to where it stands there, because that's where it is at the moment. And if they put it on hold —

**Mr. Ferlo:**

I don't know why this Council is afraid to discuss and debate and have dialogue on a very important issue. If some members cannot attend a public hearing because they have other jobs and responsibilities, then they just can't attend. But let's not keep suggesting that we shouldn't have discussion.

Whether it be in a post agenda format or a public hearing, I think this should be supported. I think the Planning issue format and the question that will come to this legislative body from the Planning Commission and the Administration is separate than the general discussion that Michelle is talking about. I think we could all learn from it. I prefer to have a public hearing rather than having 15 different groups knocking down my door. I'm available to meet with everybody and we've been meeting; but I think we can learn a lot and have some good discussion vis-a-vis the public hearing format.

**Mr. DePasquale:**

Madam President, I'm not opposed to the public hearing but in all fairness to Councilman Pollock, he, I think, has attended every public hearing we've ever had here. He made a statement today that it might be moot because of the actions taken by the Planning Commission. That is an only statement he made; he didn't say we wouldn't get the hearing or anything else. I mean, let's be fair about this thing. Either we're going to vote something up or vote it down; let's not bring personalities into it and say that people are at the meetings or people aren't at the meetings because all of us, on occasion, have missed meetings and even the new ones, on occasion, are going to miss meetings. So let's not get into who misses meetings and who doesn't miss meetings.

**Mr. Wagner:**

There's a motion on the floor, Madam President.

**Michelle Madoff:**

May I address why I would like to have the hearing? The reason I would

like the hearing is that I believe that we will be able to resolve the issue. And in answer to Mr. Pollock, it is on hold. And it is on hold because the factions are still at each other and yet they don't know that they agree with each other. And I think if we have the hearing, they will find out that they are basically in agreement on 90 percent of the points and we can resolve the one or two issues. So, let's do something productive and let's keep that tax base in the City. Let's not wait until they move and then decide that we're going to try to help the problem after the fact.

**Mr. Lyons:**

Madam President, if Council calls for a public hearing, do we know all of the people that are involved? We know all the issues and no one can later say that they were ignored?

**The Chair:**

Yes. Everybody involved is notified.

**Michelle Madoff:**

If you think of anybody that should be invited, invite them, and I've got the list of all the factions.

**The Chair:**

My problem with it is, though, that I think we ought to get a final report from the Planning Commission and have them tell us where they stand on it.

**Michelle Madoff:**

They are standing in limbo. And the people are up in arms and we don't want to wait until people move out of the City. We have a serious problem with our tax base. This is one of the major tax bases of our City. If they get

upset and they're talking about moving out, they've already talked to me, let's head it off at the cry. Let's have a hearing now. I have a gut feeling that we can resolve this problem because the factions that are talking to us privately are basically in agreement; they don't know they're in agreement.

**Mr. Ferlo:**

I think the other main point is that the Planning Department and the Administration, quite frankly, is not in a position to forage a community consensus. They are not in that position. Their credibility is not there when it comes to the neighborhood's position. If anything, I think we can help facilitate some discussion on this.

**Mr. DePasquale:**

Some people might move out of Shadyside; I hope they all move.

**Michelle Madoff:**

I don't want anybody to leave this City, from any part of this City.

**Mr. DePasquale:**

They can leave.

**The Chair:**

What is your motion, Michelle?

**Michelle Madoff:**

My motion is for a public hearing and invite all the people, the Planning Department or the Parking Authority, put the notice in and let's get on with it.

**Mr. DePasquale:**

Question called for.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Michelle Madoff          |
| Mr. DePasquale | Mr. Pollock              |
| Mr. Ferlo      | Mr. Wagner               |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

**AYES 8      NOES none**

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Pollock:**

Madam President, on brief item. I just wanted to announce that this Thursday evening at 8:30 there is a very worthy program occurring at the Howard Johnson's in Monroeville. It is the National Boxing and Budweiser's King of Beers Night where there will be eight boxing matches in Monroeville for the benefit of the Greater Pittsburgh Community Food Bank. There will be no admission charge; people can go to watch the fights. All they have to do is bring \$5 worth of non-perishable food, canned goods and so forth, for the benefit of the Greater Pittsburgh Community Food Bank.

So, I wanted to announce that. It's 8:30 this Thursday night at Howard Johnson's in Monroeville. And I wanted to thank National Boxing and Frank Furher Wholesale Company for sponsoring this.

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**Michelle Madoff:**

I would like to object; I'm opposed to boxing. Send your money but don't go.

**Mr. Lyons** moved to approve the Minutes of Monday, December 14, 1987 and Monday, December 21, 1987.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

1. The first part of the report is a general statement of the purpose of the study.

2. The second part is a description of the methods used.

3. The third part is a description of the results of the study.

4. The fourth part is a discussion of the results and their implications.

5. The fifth part is a conclusion.

6. The sixth part is a list of references.

7. The seventh part is a list of appendices.

8. The eighth part is a list of figures.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, January 25, 1988

No. 4

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, January 25, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Ferlo presents

No. 96 WHEREAS, Allequippa Terrace represents just one of the many public housing communities owned and operated by the City of Pittsburgh

through its Housing Authority and currently is home to 47 families who make up part of the 102 housing units; and

WHEREAS, the City of Pittsburgh through its Housing Authority has definite plans to demolish Allequippa Terrace but has been unwilling or unable to make these plans public; and

WHEREAS, approximately 3,000 elderly and low income residents of the City of Pittsburgh are in need of housing and have expressed their willingness and desire to live in public housing; and

WHEREAS, concerned tenants within Allequippa Terrace as well as numerous community groups have made earnest and sincere attempts to meet with the Housing Authority Director concerning demolition plans to express their opposition to these plans to have expressed a hope that rehabilitation could be a more meaningful, practical and financially feasible alternative to demolition; and

WHEREAS, the ad hoc Allequippa Tenants Against Demolition (ATAD) and the Pittsburgh Advisory Committee on Housing and Community Development have issued a seven point position statement which calls for:

1. No hasty action on demolition; allow time for planning and consultation.
2. Consideration of options including rehabilitation and existing buildings by community based contractors.

3. Consultation with the tenants on plans and options.
4. Demolition should not begin until funding for replacement units has been received.
5. Phase in demolition with new construction or rehabilitation to minimize repeated moves by people staying on Allequippa Street.
6. Current tenants should get first preference on new units.
7. Current tenants should have freedom of choice whether to receive Section 8 vouchers, to be relocated elsewhere in Allequippa Terrace or other public housing communities, or to stay on Allequippa Street; and

WHEREAS, the Housing Authority Director has refused to meet directly with the tenants of Allequippa Terrace concerning the demolition plans and also refused to appear or send a representative to a post agenda session of Council which was attended by four of its members and at least 25 citizens and 10 neighborhood group representatives.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh requests a written report from the Housing Authority Director or the Administration so as to respond to the following questions and concerns:

- are there written plans for the demolition?
- are there written plans for construction of new townhouses?
- are there plans for demolition of other public housing communities?
- how soon should money be available for new construction?
- will tenants have input into decisions for new construction?
- has there been any discussion or are there any plans for the University of Pittsburgh or other institutions or private developers to purchase the

- land?
- what studies are available to show that rehabilitation was too expensive?
- has the bid for demolition already been awarded and what day will demolition begin?
- by what date must the tenants be relocated?
- why have the tenants not been given written plans of the relocation plan for their input?
- why are tenants not being given a choice of first priority to move back to Allequippa Street when new housing is constructed?
- what is the legal role and relationship of the Metropolitan Tenants Organization (MTO) and the Housing Authority of the City of Pittsburgh?
- why has the Director refused to meet directly with the tenants?
- how many vacancies exist in our public housing communities?
- exactly how many people are on waiting lists and what plans exist to address the need for more low income public housing?
- has the Authority ever considered working with housing and community development corporations to assist in such beneficial projects as rehabilitation of public housing, housing co-ops, tenant-managed housing, low-income townhouses, low-income housing tax credits, and more?

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh requests the Housing Authority Director or the Administration to meet directly with the Allequippa Street tenants and community leaders in the area to resolve this dispute for the good and welfare of the tenants, our City and all involved.

Mr. Ferlo moved to adopt the resolution.



**Mr. DePasquale** seconded the motion.

**Mr. Lyons:**

Discussion. Madam President, I don't appreciate this resolution. The Director of the Housing Authority has never been contacted by me; Mr. Ferlo has given me no courtesy. Mr. Pietragallo and I have talked several times. There's 39 tenants as of Friday that have signed to be relocated at no cost to themselves. I think the Housing Authority and Mr. Pietragallo has the best interests for the qualified health and housing of the people that lived in Allequippa Terrace.

I find in this that Mr. Ferlo is the Chairman of Services; he's not the Chairman of Housing. I haven't been contacted by Mr. Ferlo to even have my input into this. And certainly Mr. Pietragallo would have come had I been asked to ask him to come. We must learn protocol. Any department that I have any business with, I go to the Councilman who is the Chairman of that Committee. And certainly Mr. Ferlo owed me that respect.

**Mr. DePasquale:**

Madam President, in regards to the MTO, the Metropolitan Tenants' Organization, if I recall, they were formed about 10 or 15 years ago and the purpose of the Metropolitan Tenants' Organization was to represent people in public housing and down through the years, they've been accepted as the organization, the go-between, between the Housing Authority and the tenants. I was under the impression for years that the tenants accepted that representation and more or less abided by any decision they came to with the Housing Authority, in this case to demolish or whatever.

I certainly realize the concerns and I'm certainly bothered by them. There's some sincere, dedicated people that came in here the other day and they have concerns. But I don't see how you can continually have an organization working with the Housing Authority and then saying when it doesn't suit their purpose, some of the people in the Housing Authority, that they're going to go against the wishes of the MTO or any other organization which represents them and, as I said, in this case it is the Metropolitan Tenants' Organization.

**Michelle Madoff:**

I think that the President of Council, when I am through, might wish to clarify for new members of Council that the pro-forma, what has always been, and you may wish to change in the future; has been that any member of Council has the right to present anything before this Council. I was severely chastised on the issue that I should not introduce the bill that would say that certain things should not be brought before this Council that relate to anything pro or against abortion, that certain things don't belong in this Council. If this Council feels it wishes to present anything, we have the right to vote it down.

I believe that this is a democracy; we're elected to represent our constituents. And while I may not always agree with my colleagues, and I in part do not agree entirely with Mr. Ferlo, but I think he's going in the right direction on this issue, I think he has the right to introduce a bill on any department. I loved having the Water Committee because when there's no major episode, you have a lot of time to stick your nose into everybody's business, and I make a career out of it. I make a career out of checking on every department to see what's going on. I like

to know what's going on in Construction because we're giving the taxpayers' money away. I like to know what's going on in General Services; when we come to the issue of the purchasing of vehicles I want to know whether the Firefighters have had a chance to look at the equipment when, indeed, they're the ones that use it. And that is the way it has always been. Now, if we're going to change the Rules of Council, so be it. But at the moment, Mr. Ferlo is living in a democracy; this is not Russia, and he has the right to present the resolution.

Now, on the resolution. I sort of followed this quite in detail and had the opportunity, because I had another meeting that coincided with your meeting the other day, and I had to leave. As a matter of fact, I just came from a meeting, I'm sorry to be late, on the Shadyside problem.

I think the issue of this particular Allequippa Terrace has been resolved in that it is a highly undesirable place to live; people don't want to move into it. I think the first week when I got to Council, nine and a half years ago, I went to one of the housing projects. I couldn't believe what I found; maggots on the railings, people urinating in the halls and the elevators. Nobody wants to live in that kind of filth.

I think we need to talk with the Director, and I think in an adversarial role, and to try to work something out to show our concerns and try to get some commitments. One of the things that I personally would like to see is something that I've witnessed in the Baltimore area; they have old public housing where a private developer comes in, it's like scatter-site housing only it's Section 8 subsidies. Nobody knows who in the building is being subsidized and who is not; there's a percentage of people that come in to the buildings. The buildings

have swimming pools, they have tennis courts, and they live like anyone else would like in a luxury building, or a middle upper kind of building that offers amenities. But everybody pays their rent, everybody obeys the laws, it's like a co-op or condominium board, and if they don't, they're out in the street.

I will tell you, we had a hearing here, and Sophie, you'll recall, we've had a number of hearings here where the tenants say, that's what they want. They want a chance to live with dignity and pride and not have people who are uncaring of the property ruining it for them. The crime that is committed there, if someone is caught committing a crime or a felony, out they go. If they don't keep the place clean, out they go. If they don't have their garbage put out the way they're supposed to, out they go. And the places rent for about \$400 a month for two bedrooms, and they have swimming pools and tennis courts and they live wonderfully, and the love it, and they are subsidized, and nobody knows who is subsidized and who is not.

I think we need to talk to Dan Pietragallo about what we can do in general to improve the whole housing problem in this area, as opposed to, and I agree with you, Mr. Ferlo, I don't like to read about it when I pick up the papers, that we're moving people and we have bulldozers there. I think there's an obligation from the authorities to keep Councilmembers informed because they don't get the flack, we get the flack. It's our heads that go on the guillotine, not his. Scapegoating is one of the services we offer when we get elected.

I think you're moving in the right direction but I don't think this is the appropriate way to do it. I think it would be more productive if you would ask Mr. Pietragallo to meet with us to discuss the entire housing project. What is

happening in providing homes? We have so many vacant houses all over the City of Pittsburgh that could be rehabbed to meet code. We have people living in our abandoned housing that don't meet code. What can we do to do a better job of providing housing as opposed to, at this point, from what I gather, and you can correct me if I'm wrong, the people are going to be moved, they're going to have first choice. Bulldozers are not going to come in and take their houses down until they've been relocated; they're going to do it at a very slow pace. And that that particular development has to go. Nobody wants to move into it; it's not clean, it's not safe. People should haven't to live in such filth; it's not right. And they shouldn't have to settle for it and say, "I'm willing to accept that because there's nothing better." We have to rise above that and provide something better, and we can do that if we work together. And that's why I welcome you to Council because I think you care about the people.

**Mr. Coyne:**

Madam President, after the post agenda session on Wednesday I had the opportunity to meet with Mr. Pietragallo and a few members of the Metropolitan Tenants' Organization. Based on the information I received from those folks and the information my staff received at a full membership meeting of the MTO on Friday, it's my belief that the Housing Authority has been in contact with the proper folks who represent the residents of Allequippa Terrace. In fact, there's another meeting this evening that representatives of the Housing Authority will be attending with the Metropolitan Tenants' Organization. Therefore, I think that the Housing Authority has been in proper communication with the residents.

I would also like to ask Mr. Lyons to write to the Authority Director and ask him to answer the questions that Mr. Ferlo brings out, in writing. I feel that would be the proper steps to take.

**The Chair:**

Mr. Lyons?

**Michelle Madoff:**

Would you yield?

**The Chair:**

Wait a minute; I recognize Mr. Lyons.

**Mr. Lyons:**

Madam President, I would like to see this resolution withdrawn and there would be no mandate on the Director. I'll write him a letter and he'll be here to meet with the Council.

**Michelle Madoff:**

I was going to ask that the motion be amended to that.

**Mr. Lyons:**

I ask that the resolution not be voted upon this time and I will contact Mr. Pietragallo and he will meet with Council when I ask him to meet.

**Mr. Ferlo:**

And he'll supply the information?

**Mr. Lyons:**

Yes.

**The Chair:**

Will you withdraw your resolution,

Mr. Ferlo?

**Mr. Ferlo:**

I want to hear the rest of the discussion.

**Michelle Madoff:**

My motion was going to be the same; I was going to ask Mr. Ferlo whether he would amend his motion or his resolution to invite Mr. Pietragallo here to have some discussion on the overall problem, not just of Allequippa, and if he finds Mr. Pietragallo lacking, he can always have another scathing resolution.

**Mr. DePasquale:**

Madam President, I just wanted to say that Mr. Coyne beat me to the punch. I was going to say the very same thing. I echo his sentiments and I echo the sentiments of Councilman Lyons in regard to a letter being written rather than a resolution. As the Councilman said, I believe he's going to have the Director over here to talk to Council.

**The Chair:**

Mr. Ferlo, will you withdraw your resolution?

**Mr. Ferlo:**

Having achieved my objective, I withdraw the resolution, Madam President. Thank you, Mr. Lyons.

**Mr. DePasquale:**

I withdraw my second.

**Mr. Coyne presented**

No. 69 Communication from Louise Brown, Director, Department of

Parks and Recreation, requesting authorization for Paul Leger to attend the Applied Zoo and Aquarium Biology Class in Wheeling, West Virginia, February 7-11, 1988, at a cost not to exceed \$600.00, payable from Code Account No. 1852, Miscellaneous Services.

Also,

No. 70 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert Jones, Robert Stumpp and Mary Eysenbach to attend the Revenue Sources Management School in Wheeling, West Virginia, March 13-17, 1988, at a cost not to exceed \$1,750.00, payable from Code Account No. 1801, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 71 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for John Weres and Paul Loy to attend the American Concrete Institute Seminar at the Holiday Inn Airport, Coraopolis, PA, March 3, 1988, at a cost not to exceed \$500.00, payable from Code Account No. 1482, Miscellaneous Services.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Lyons presented**

No. 72 Resolution authorizing and directing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to execute amended Article III (Membership) of the Agreement with the

Counties of Allegheny, Armstrong, Beaver, Butler, Washington, and Westmoreland for "provides for the removal of the requirement that one of the appointed SPRPC members shall be a member of the City Planning Commission, and allows for the appointment of any private citizen who may or may not be a member of the Planning Commission."

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 73 Resolution providing for the issuance of a warrant in favor of Humphrey, Herbert, and Alber in the amount of \$11,842.16 for payment for work related to the production of the MBE/WBE 1986 Annual Report, chargeable to and payable from the Community Development Program Administration (CDPA).

Which was read and referred to the Committee on Finance.

Also,

No. 74 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for himself to attend a meeting with the state officials concerning the Strategy 21 projects in Harrisburg, PA, January 27, 1988, at a cost not to exceed

\$250.00, payable from Code Account No. 1103, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 75 Resolution amending Resolution No. 1092 of 1987, approved December 31, 1987, effective January 1, 1988, entitled, "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1988," by decreasing Code Account 57, Social Security Fund by \$120,000.00 (from \$5,586,400.00 to \$5,466,400.00). (COMPANION BILL TO BILL NO. 82)  
—(SPONSORED BY MICHELLE MADOFF)

Also,

No. 76 Resolution amending a portion of Resolution No. 1093, approved December 31, 1987, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels designated for positions," by adding the As Needed positions of Legal Consultant, Fiscal Consultant, and Engineering Consultant, as a cost not to exceed \$40,000.00 per position.  
—(SPONSORED BY MICHELLE MADOFF)

Which were read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be

on the agenda this Wednesday.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I have a bill being introduced on Water by Mr. Ferlo and it's something I'm already working on and I need different information than he needs. Do you want me to introduce the bill and then when it comes up for discussion address the issue? What do I do with it?

**The Chair:**

Do you want to discuss the bill for a week until you discuss it with Mr. Ferlo?

**Michelle Madoff:**

This is on the Water Committee. This is on having the DER do some water testing and getting a list of the outflows and it's already available. As a matter of fact, it's available from the same source Mr. Ferlo can get it from; it's Mr. Hays from the Clean Action Coalition. The sampling needs to be done upstream at a water intake, not down --

**Mr. Wagner:**

Madam President, point of order. There's nothing on the floor to discuss.

**Michelle Madoff:**

I don't know what to do with it; it's not my bill. It has my name on it but it's Mr. Ferlo's bill. That's why I'm asking for direction.

**The Chair:**

It's your committee.

**Michelle Madoff:**

I need entirely different information than this.

**Mr. Woods:**

Point of order, Madam President. That bill should be discussed, no matter whoever wants to present it at the time, in Reports of Committees, not in Presentation of Papers.

**Michelle Madoff:**

That's when? At the end of the meeting? Sorry. It comes at the end of the meeting.

**Mr. Pollock presented**

No. 77 Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with Public Hearing(s) at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1035, Miscellaneous Services, Commission on Human Relations.

Also,

No. 78 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for himself to attend the Annual Joint Conference of the United States of America Equal Employment Opportunity Commission, the Department of Housing and Urban Development in Dallas, Texas, March 13-18, 1988, at a cost not to exceed \$1,200.00, payable from the EEOC-706 Trust Fund.

Also,

No. 79 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for James Johnson to attend the Northeast

Regional Conference on Prejudice and Violence in New York City, New York, March 3-4, 1988, at a cost not to exceed \$1,000.00, payable from the HUD Trust Fund.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 80 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Robert McCaughan, Thomas Huerbin, Bureau of Emergency Medical Services and Tony Laush and Harold Denson, Bureau of Police to attend a seminar entitled, "Ice Rescue Instructor Training Seminar" Bellefonte, PA, January 30-31, 1988, at a cost not to exceed \$135.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Also,

No. 81 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Dan Schwab, Bureau of Police to attend a seminar entitled, "International Society of Fire Service Instructors to be held January 16, 1988 in Pittsburgh, PA, at a cost not to exceed \$157.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 82 Resolution transferring the sum of \$50,000.00 from Code Account 57, Social Security Fund to Code Account 1001-2, Salaries, Wages and Services of Council, as needed. (COMPANION BILL TO BILL NO. 75)  
---(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 83 Resolution granting unto Mr. Jerry Lebovitz, 109/111 Market Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an elevator and shaft in a portion of the sidewalk of Market Street in the 1st Ward of the City of Pittsburgh.

Also,

No. 84 Resolution granting unto Charles Merlino, Samuel Fevig, Robert Safrom and Marie Good, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an off-street parking area on a portion of the Road right-of-way of Cherryland Street in the 26th Ward of the City of Pittsburgh.

Also,

No. 85 Resolution granting unto Forbes and Allies Center, 3109 Forbes Avenue their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a parking area on a portion of the right-of-way of Maurice Street in the 4th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

**The Chair presented**

No. 86 Resolution amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 180, Personnel Administration, Comprehensive Merit Based Personnel System, in the Office of the City Clerk, by deleting the position one Administrative Aide to the City Clerk, and adding two Legislative Assistants. This resolution reflects the budget change in the City Clerk's Office.  
—(SPONSORED BY MRS. MASLOFF)

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 87 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Lawrence Staab and George Coppola to attend the International Television Association Conference, held in Las Vegas, Nevada, April 10-16, 1988, at a cost not to exceed \$2,982.27, payable from the Community Communications Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 88 Communication from Don Bailey, Auditor General, submitting a copy of the Liquid Fuels Tax Fund of the

City of Pittsburgh, Allegheny County, for the period January 1, 1986 to December 31, 1986.

Which was read, received and filed.

**UNFINISHED BUSINESS**

**Mr. Wagner:**

Madam President, I move to appoint Councilman Woods to the position of President Pro tem of City Council.

Mr. DePasquale seconded the motion.

**Michelle Madoff:**

Opposed.

**Mr. Wagner:**

Madam President and members of Council, as you know it's been customary in previous years for this appointee to come the say day that the appointees to all Committee assignments come. There has been a vacancy in the position for several weeks and, in the absence of Madam President Sophie Masloff, I think it's appropriate for this Council to have someone to fill in in that position. Councilman Woods, in the previous position of Council President and as the Finance Chair position has showed the ability, I believe, to run meetings in a professional manner and I think there's a great need for that in the event we have the absence of our present Council President in the future.

**Mr. Pollock:**

Point of order, Madam President. Was that motion seconded?



**The Chair:**

Yes.

**Mr. Pollock:**

By whom?

**The Chair:**

Mr. DePasquale. But Mr. Perry tells me that that was just a nomination and that a second was not necessary. Now we're open for discussion.

**Michelle Madoff:**

Madam President, until the last President Pro tem, who was Mr. Givens, there was a deal cut; you know about it, I know about it, everybody knows about it. All you had to do was read the papers. It was decided the morning that our present President would have been President. Until that time, there was never a third party involved; it was always an arrangement whereby the President of Council and the Finance Chairman spelled each other. If the President was away, the Finance Chairman took over. If the Finance Chairman was away, the President chaired the meeting. It was only, in my opinion, speaking for myself, and a belief shared by a lot of people, during the negotiations, in order to get the fifth vote, and Mr. Givens was the fifth vote, that he was promised President Pro tem. I don't think we want to go back to that kind of backroom politics. I think that we have two very fine people; we have Sophie Masloff as President and we have Mark Pollock as Finance Chairman, and I think they can handle the jobs between them, as it has always been until a deal was cut. And let's not go back to that kind of politics.

**Mr. Pollock:**

Madam President, our Council rules do not provide for the election of the President Pro tem. This is a presidential appointment and if the motion is to ask you to appoint Mr. Woods, then that's fine. But if the motion is to elect the President Pro tem, then I think you should rule the motion out of order. We don't elect either the Committee Chairman or the President Pro tem. It's a presidential appointment and, as I stated, if Mr. Wagner is asking us to ask you to appoint him, that's fine. Otherwise, you should rule the motion out of order.

**Mr. DePasquale:**

Prior to the election or appointment of Mr. Givens as President Pro tem, the procedure was that when the President of Council was, for some reason, incapacitated or could not make a meeting, that a hurry-up meeting was called by Council and a Pro tem was elected for that one or two meetings, whatever the President missed. The only time I recall anybody being elected or appointed to it for the full year, and I have no problem with this nomination now, was when Mr. Givens was, I believe, appointed. I don't know if he was elected but somebody can correct me on that. Prior to that, it was for each meeting that the President of Council couldn't make. But we set a precedent with Mr. Givens.

**Mr. Perry:**

In the past, I believe when Mr. DePasquale was President of Council, Council elected for a term of his term a President Pro tem. I believe at that time it was Mr. Stone who was elected President Pro tem. Even after Mr. Stone became President, a President Pro tem was also nominated and elected. This

should have been done the first meeting of the year.

**Mr. Woods:**

Point of information. I don't want to get into this debate since Mr. Wagner has nominated me, but if you read, Mr. Pollock, Council's Rules, a President Pro tem is elected, not appointed. Since I've been on this Council, Mr. Stone was elected President Pro tem, Ben Woods was elected President Pro tem, and Mr. Givens was elected President Pro tem. It was no appointment. You voted on it and we can get the Record to see who voted on it.

**Michelle Madoff:**

I'd like to see that.

**Mr. Wagner:**

Madam President and members of Council, I simply want to say that I have nominated an individual and anyone here can nominate another individual just as in another similar type procedure for the election of the President of Council.

As was indicated by Councilwoman Madoff, she used the term "backdoor politics", this is not backdoor politics, this is front room politics and out in the open politics. My nomination is very open, very clear, and I've stated my reasons. There has been a vacancy in that position and in the absence of the President of Council, I think someone should be there that's competent to fill the position. Basically, that's what my nomination is all about.

**Michelle Madoff:**

I want to respond to what was just said, if I may. When I refer to backroom politics, I will bet \$1,000 that prior to this new Council and some problems that

occurred in this new Council, there was no way in the world that that nomination would have been made and seconded by the two people that made them. That decision had to be arrived at to even make the nomination prior to meeting in the open. It was done behind the scenes and I am appalled; I want to go on record as saying I'm appalled. And furthermore, I would like to make a motion. I want to make another nomination; I want to nominate the Finance Chairman to act as the President when the President is not here and the President to act as the Finance Chairman when the Finance Chairman is not here.

**Mr. Pollock:**

Madam President, our esteemed past President, Mr. Woods, stated that the rules provide for the election of it. I'll be happy to supply him with a copy, because I do not see anything in there which says it provides for the election. The only mention I see, it says that in the absence of the President, the members shall elect a President Pro tem, provided there be a quorum present.

**Mr. Woods:**

That's exactly what I said.

**Mr. Pollock:**

You said that it provides for the election. I think the President is here.

**Mr. Woods:**

You just took the words right out of my mouth. Thank you for confirming my opinion, Mr. Pollock.

**Mr. Pollock:**

I'll read it again; maybe some people are having a hard time understanding it. "In the absence of the

President, the members shall elect a President Pro tem, provided there be a quorum present." Unless I'm mistaken, you're here, which would mean that you're not absent, which means that the members shall not elect a President Pro tem.

**The Chair:**

Mr. Pollock, are you saying that at each meeting a President Pro tem should be elected?

**Mr. Pollock:**

If the President is not present. Members don't have the right to vote unless the President is not present.

**The Chair:**

So that it would be on a part-time basis.

**Michelle Madoff:**

That's right. That's what Mr. DePasquale said.

**Mr. Ferloc:**

Madam President, I think we should deal with the substance of the motion, the nomination. Presuming that Mr. Woods has five votes to win this nomination, I would also presume that he has five votes to amend Council's rules. So, with that in mind, I think we should debate the merit of the nomination or any other nominations that should be placed on the floor. Let's not have comments about politics; otherwise, I'm going to have to reopen discussion on the original election of Madam President, which certainly had a lot of politics. That's really not relevant here today; what's relevant is, do people support placing Mr. Woods in that position or do they not, and what are the reasons pro

and con? And if there's other nominations, they should be made by members of Council and we can debate those and get on with the vote.

**The Chair:**

I'm going to rule that we get an opinion from the Law Department. I think that will settle it once and for all in case this issue comes up again.

Mr. Specter, will you get us an opinion on this? Can we hold this for a week until we get an opinion from the Law Department? This has never come up before, to my knowledge, and I'm not sure what grounds we're on. I think Mr. Specter should give us an opinion on it. Could we hold this nomination for a week, Mr. Wagner?

**Mr. Wagner:**

I would prefer to vote on it and my motion indicated to vote on it today.

**Michelle Madoff:**

I support getting an opinion.

**Mr. Ferloc:**

I don't think we need an opinion from down the hall.

**Mr. Pollock:**

Correct me if I'm wrong; maybe my memory isn't correct. Was Mr. Givens elected as Council President Pro tem or was he appointed by the same President? Mr. Perry, was he elected or appointed?

**Mr. Perry:**

He was appointed.

**Mr. Pollock:**

Thank you, Mr. Perry.

**Mr. Woods:**

I'll tell you what, Mr. Perry. I challenge you on that, I challenge you on my election and I challenge you on Mr. Stone's election.

One other thing, and I hate to get involved in this. That's not the issue; the issue is, there's a motion on the floor and we want to act on that motion.

**Michelle Madoff:**

We sure do; don't we?

**Mr. Ferloc:**

Madam President, the thing that I resent holding this is that I don't think we need or deserve an opinion from the other end of the fifth floor. That's not the issue. We can conduct Council's affairs independent of the other branch of City Government and that's basically where the opinion would be coming from. I think we should just vote on the question; what's the big deal? If there are people that object to Mr. Woods filling this position, they should state their opposition clearly, and if there are people in favor — We don't need an opinion on the Mayor's Office on the affairs of Council.

**The Chair:**

It's not the Mayor's Office that I'm asking.

**Mr. Ferloc:**

It is the Mayor's Office.

**The Chair:**

No it isn't.

**Mr. Ferloc:**

It is clearly the Mayor's Office, Madam President; I think everybody knows that.

**The Chair:**

You may but I don't.

**Mr. Ferloc:**

I think clearly that's the case. And if there's one thing I do resent, it's continually having to leave the room to conduct the affairs of this Council which I hoped would be an independent legislative body separate from the Controller and separate from the Mayor. I hope that we can do that and I think we should vote on this motion.

**The Chair:**

I think this is an interpretation and we have different opinions on this and I think we should get a legal opinion on this.

**Mr. Pollock:**

I think you have the prerogative to say that clearly if there's an interpretation ruling, that the Parliamentarian can either rule on it or defer to a higher parliamentarian's ruling to interpret our rules. Clearly, Mr. Woods himself is in a conflict when he's stating that the rules call for an election and he himself, two years ago, made an appointment which makes him in conflict with the rules. So, there clearly is a need for an interpretation and I think that you have every prerogative to say that you can't act on a motion when the rules are not clear and you can't

determine whether the motion is in order or not. I think you have the prerogative to say that.

Thank you, Mr. Perry.

**Mr. Wagner:**

I do not intend to withdraw my motion. My motion is on the floor and I would wish that it be the will of this Council to vote on that motion.

**Michelle Madoff:**

Madam President, I believe you have the prerogative as the President of this Council, I may be incorrect, and perhaps somebody can correct me if I'm wrong, but I think you have the prerogative as this President, if you wish to have that bill held for a week to get clarification in light of the fact that Mr. Woods appointed Mr. Givens and didn't have it voted on, and there is a dichotomy of opinion, and have many of us discuss it among ourselves so that we could caucus with our colleagues because this has been sprung on me and I believe perhaps on some other people, unless others knew about it and they're not admitting that they knew about it. I think we need a week to digest this and I would suggest that nothing will happen in a week. And, as Mr. Ferlo has stated, he's hoping that we'll have a chance to vote on that and see how independent we really want to be.

**Mr. Woods:**

I feel like taking my name out of here but I just want to see. What is anyone afraid of? For crying out loud. The motion is on the floor; let's everyone belly-up and vote. What's so hard about that, Madam President? Everyone can show where they are. The public is watching; show your guts. You're going to vote for something or you're not going

to vote for something. You can't go in a back room, Ms. Madoff, and debate this thing. Right out front you said what you had to say; you're against that nomination. My goodness, just get up there and say you're for it or you're against it. And I think all of us, all nine of us, owe that to the public that's looking at us.

**The Chair:**

There is a question in my mind whether or not this is the right way to go about this. That's my problem. Legally.

**Mr. Ferlo:**

Madam President, what could be more democratic than acting on the nomination that has been presented here today? The nomination was democratically moved. There's deocratic debate and discussion. If there are people who object to Mr. Woods' winning this position, they should state their objections. What's more democratic than that?

Madam President, I suggest rather than go to the Solicitor or to the Parliamentarian, or rather than go down to the other end of the hall to the Mayor's Office for an interpretation on this, I would suggest, Madam President, that you ask the straw vote of the body regarding whether or not we would like to vote on this. I would suggest that if five people would like to vote on this now by straw vote, that that represents the democratic will of this Council and we should then move to the question of the nomination.

So, I ask, Madam President, that you act in the spirit of unity and cooperation and ask for a straw vote among the nine members present as to whether or not they would like to democratically be allowed to vote on

this.

**Mr. Coyne:**

Madam President, I have a question here on the manner about which the President Pro tem should be selected. It's not that I doubt Mr. Woods' ability to be the President Pro tem but I think what we're seeing reoccurring is the same sort of thing that happened with the appointments to Alcosan where it took years to discover that Council never had the right to appoint them in the first place. The rules clearly state that the President Pro tem should be voted on in the absence of a president. I interpret that to be on a per day basis. As I say, it's not a question of bellying-up or anything; it's just interpreting the rules and making sure we don't carry on a procedure that's not meant to be.

**Michelle Madoff:**

Madam President, I think Mr. Coyne is right on the button. He's supporting your position that you have a right, as President, to get clarification and you are acting democratically in doing so.

And in response to Mr. Ferlo, when he says we are out in front and this is very democratic, it is not democratic to have something like that sprung on other members of Council knowing full well that they would not support that kind of a motion when we might want to recommend — I might want to recommend Mr. Otis Lyons —

**Mr. Ferlo:**

Then nominate him.

**Michelle Madoff:**

I've nominated Mr. Pollock but Mr. Pollock might decline. I might want to

nominate Mr. Lyons. I would like a week to think about it and you will need a week to clarify it; you're absolutely right. And then we'd be able to talk to each other and find out why you seconded the motion.

**Mr. Ferlo:**

Madam President, I make a motion for a five minute recess to allow Councilmembers --

**The Chair:**

There is a motion on the floor.

**Mr. Wagner:**

Madam President, if I may. I made the original motion, Madam President, and I would simply want my colleagues to know that there's nothing in the Charter or the Rules of Council that indicates that the Finance or Public Safety or any other committee fills in for the President of Council. I have researched those rules in that Charter and I suggest that my colleagues do the same. I did the same on Alcosan and I brought something up about Alcosan several weeks ago that everyone was very startled to hear, that this Council does not have the authority to appoint or remove from Alcosan. I have looked at this issue also; I know we have a President and, Madam President, I believe that you're going to do a competent job. But if you're not here, the Charter or the Rules of Council do not indicate who fills in for your vacancy. I have made a legitimate motion in the absence of you in this Chamber for someone to fill in for you. And in that motion I have picked someone that I feel can perform the job adequately and has proved it in the past. It's a simple motion; it fits in with the rules of this Council and the Charter and in the event that there is an absence,

there is someone to fill in and run the meetings. Now, all that is a motion to appoint someone, all other eight members of Council can make a similar motion, appoint anyone else, vote it up, vote it down. It's that simple.

**Mr. Coyne:**

Madam President, once again I'd like to say that this shouldn't get down to be a questions of personalities on who is voting for who or anything like that. As I said, I'm sure Mr. Woods would be a fine President Pro tem.

The question comes back to the rules and we're getting away from what this Council should do. The rules clearly say, "In the absence of the President, the members shall elect a President Pro tem". To me, I interpret that to be on a daily basis and I cannot agree. I won't vote on this issue.

**Michelle Madoff:**

Madam President, I just spoke to Mr. Specter, he just came in in the middle of this, and he is not prepared to make it definitive but, with a quick overview, he believes that the statement made by Mr. DePasquale as to how it has been done and Mr. Coyne's statement that that is correct, that the day there is not a president, we can vote. So, I think that in a week we can clarify that because I was about to say what you said, Mr. Coyne; I don't want a repeat of what happened with Alcosan. Does the Mayor have the right to appoint or does Council have the right to appoint. And at the end of the meeting I'm going to discuss that because I've talked to some of the parties involved.

**Mr. Pollock:**

I think since Mr. Wagner brought up the issue of Alcosan, I think that that is

something that should be clarified. Council rules and the Home Rule Charter haven't changed during the four years and some that Mr. Wagner has been on Council so I can only assume that in the past, when he himself has nominated people to Alcosan, that he did so knowing that that was not in accordance with the law. And in the past when he has voted on Council nominees for Alcosan, I can only assume that he did so knowing that that was not in accordance with the law. Or, if not, then clearly he wasn't assured or positive at the time he voted and nominated people, that Council had this right. So, if Mr. Wagner can occasionally have a self-inflicted discrepancy in how to interpret the Charter, then perhaps others can as well. And that is why there are parliamentarians, that is why Robert's Rules of Order provides for parliamentarians to determine how rules should be enforced and how they should be interpreted. And if Mr. Wagner can make a mistake, because clearly he made a mistake at one time, either when he said that we don't have the power or when he himself nominated somebody, because they both can't be right. So, if mistakes have been made in the past, then mistakes can be made and I think it's wise to have a ruling from somebody whose function it is to interpret the Charter. Thank you.

**Mr. Wagner:**

If I may respond. Mr. Pollock always has a way of trying to make something personal and he does it very effectively. But I will not be as little as Mr. Pollock and always try to make something personal because I'm above that and I'll always be above that as a politician and to anyone on this Council. But I want Mr. Pollock to know, as clearly as he can know, that I have had a written request, and Mr. Perry will verify this, a written request to the

Solicitor for eight months for an opinion on Alcosan. I understand it's forthcoming this afternoon, Mr. Pollock. The reason why I have not done anything during the interim is because I believe that I should, and I have urged continually the Solicitor to give this Council an opinion. Rather than shooting from the hip, I want the Solicitor's opinion to be the final opinion, and it will be on Alcosan.

You stated, when I brought that up here, that you don't have to be a genius to read the Charter, and I'm not a genius; you may be but I am not. You claim to be; I'm not. But I will tell you quite clearly that that decision will interpret the Charter, and we all know what that decision will be. You have tried to take this simple motion here for Council President Pro tem and tie it in to another issue. That really isn't the case here. If you don't want to vote for my nominee, don't vote for my nominee. If you want to vote for yourself, vote for yourself. Or nominate someone else. You have that right as a Councilmember and I strongly suggest that you utilize that right. My motion is clear and simple and I suggest that you vote for it or vote against it.

**Mr. Pollock:**

Madam President, all I simply said, and Mr. Wagner, by his own statement just now, confirms it, if he is writing the Solicitor for an opinion on another matter which could be interpreted separate ways, then why should this matter be any different? You don't have your cake and eat it too. If he's writing the Solicitor for an interpretation of how to appoint to Alcosan because there is a discrepancy or an interpretation variance on the Charter or the rules, then why should this be any different? Mr. Ferlo doesn't want to go to the Administration but yet Mr. Wagner is going to the

Administration for an interpretation of how Council can appoint to Alcosan. There should be no difference. The Solicitor, if he is ruling on how to appoint to Alcosan, should also be the entity to rule on how the President Pro tem is decided. I didn't bring up the issue of Alcosan; I didn't invent that. Mr. Wagner brought it up and all I was doing was using his analogy. He raised the issue of the Alcosan appointments; I didn't. I'm just saying that the Solicitor ruling on that should also lead to the Solicitor ruling on this.

**The Chair:**

I'm going to rule that all discussion is over and I'm going to exercise my prerogative to hold for one week until we get an opinion.

**Mr. Wagner:**

I move to override the Chair's decision.

**Mr. Ferlo** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |            |
|----------------|------------|
| Mr. DePasquale | Mr. Wagner |
| Mr. Ferlo      | Mr. Woods  |
| Mr. Lyons      |            |

**AYES 5**

**NOES 4**



**VOTING NO:**

Mr. Coyne            Mr. Pollock  
Michelle Madoff    Mrs. Masloff  
                              (Pres't)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. DePasquale:**

I move to close the nominations.

**Mr. Ferio** seconded the motion.

**Michelle Madoff:**

I believe there was not clarity on the motion.

**The Chair:**

The motion to override my ruling, my prerogative, to refer this to the Elections Department was five ayes to override and four noes to override which means that my motion was overridden. It failed. So now we go back to the motion —

**Michelle Madoff:**

Madam President, may I ask a question that I am unsure about? It is proper or is it improper for me to ask my colleagues to reconsider their vote to override? I think this is a very bad precedent because I feel that they're trying to weaken your position and every time that you are going to take a position — I think you're legally taking a very responsible position and I commend you for it and I think the public watching commends you for it — there will be a challenge to everything you do.

I would like to take a two minute recess to ask my colleagues if they would reconsider the issue of overriding your

opinion because this will become a disaster Council if we continue like this.

**The Chair:**

Michelle, it's the members' prerogative to override any ruling I make, and in the future they can do that. I'm not God; they can override any ruling I make. But at this moment there's a motion before us now.

**Michelle Madoff:**

Madam President, I guess I didn't state my question clearly. Is it in order for me to ask my colleagues to reconsider and can they reconsider?

**The Chair:**

No, there's a motion on the floor.

**Michelle Madoff:**

Can't we reconsider the vote on the motion?

**The Chair:**

They've already voted; they're not going to reconsider.

**Mr. Ferio:**

Madam President, as a man of mediocre intellect, I would like to vote the question up or down.

**The Chair:**

Okay, the motion is now open for the vote.

**Michelle Madoff:**

And we're going to discuss the vote.

**The Chair:**

You've already discussed it.

**Michelle Madoff:**

There's another nomination. I nominated Mr. Pollock. How are we going to handle the vote?

**Mr. DePasquale:**

Madam President, the nominations were closed. Certain people aren't listening.

**The Chair:**

No, they were not closed, Mr. DePasquale.

**Mr. DePasquale:**

I made the motion and it was seconded and closed.

**The Chair:**

No, it was seconded and then there were other nominations. Michelle made another nomination.

**Mr. Ferloc:**

Madam President, I think Jeep is correct in that we did close them. But for the sake of moving this questions ahead so that we can debate the affairs of this City, could Michelle please make the nomination of Councilman Pollock, or whomever else, and let's go down with the vote. I have no problem voting on it.

**Michelle Madoff:**

I think this is a very sad day for this Council. I used to refer to it as the Zoo; Mr. Wagner called us the Circus. We're the Nine Stooges and I'm a stooge for being here. But somebody has to be

here to see what we can do. This is an absolute disgrace.

I will nominate Mr. Pollock because I don't have any other alternative and I hope somebody will second that.

**The Chair:**

The nominations are Mark Pollock and Ben Woods.

**Mr. Ferloc:**

Madam President, I hate to keep talking on this issue but I resent something that Michelle just said. I did not support you originally for Council President; I personally made the nomination and supported Councilman Wagner because I felt he would do the best job. I did not win out. However, I'm trying to make every effort possible to work with Madam President and other members of this Council because that's the way the vote went and I think it's my responsibility to try to get things done on this Council.

Earlier I made a resolution regarding Allequippa Terrace. Councilman Lyons suggested I withdraw it and he would make an effort to help resolve the matter. I yielded to his wisdom on this question. I think we have a responsibility to try to work with each other and for that reason I don't think we should spoiled grapes on the vote regarding Mr. Woods. Let's just deal with the substance of it.

**The Chair:**

There are two nominations for President Pro tem before us; Mark Pollock and Ben Woods.

**Michelle Madoff:**

Madam President, I cannot let that

go unanswered. I'll be very brief. The issue is not Mr. Woods or Mr. Pollock; the issue is just what you just said, Mr. Ferlo, an effort to communicate and get along with each other in the best interest of the public. By starting off the new year and overriding the President of Council, I think we have set a very dangerous precedent to encourage this kind of action. That does not indicate that you wish to work with Council and the President; it indicates the contrary.

**Mr. Pollock:**

Madam President, to the best of my knowledge, in the two years and some that I've been here, this Council has never voted on something that I can recall without knowing whether or not the vote was legal. I think it's a very unfortunate precedent that Council is voting on something where there is clearly a lack of understanding as to what we're voting on and whether or not it's even a legal vote.

Two years ago, Mr. Woods made an appointment for this position and today he's saying it's supposed to be an elected position. That, to me, is as simple as can be that there is a conflict of his interpretation of this rule. It should be interpreted by some entity, the Parliamentarian or Solicitor or even outside counsel and it's unfortunate. But it's very clear to me that this Council now, this new Council, is deciding to vote regardless of legality, of propriety, of interpretation, and that's quite unfortunate that this new Council feels that way.

**The Chair:**

That was their choice; they voted.

**Michelle Madoff:**

Excuse me; we're changing

something. I withdraw the name of Mr. Pollock because I'm not going to vote on an illegal bill; I'm not going to pull another Alcosan.

**The Chair:**

It hasn't been determined that this is an illegal bill.

**Michelle Madoff:**

Madam President, it is very clear that it is an illegal vote and I will not vote on an illegal vote.

**The Chair:**

We are going to vote on Mr. Wagner's motion. How many nominations do we have?

**Michelle Madoff:**

One.

**The Chair:**

One. Mr. Woods.

**Mr. Lyons:**

Madam President, we have two. Mr. Pollock hasn't withdrawn.

**Mr. Pollock:**

I withdraw my name.

**Michelle Madoff:**

I withdrew his name.

**Mr. Lyons:**

You can't.

**Michelle Madoff:**

I nominated him; I can withdraw his

name.

**The Chair:**

So now we have a motion to elect, if that's the word, Mr. Woods President Pro tem. Call the roll.

**Mr. Coyne:**

Madam President, I feel this is a totally illegal vote; I don't feel it follows the rules of Council and I abstain.

**Michelle Madoff:**

I abstain because I said I wouldn't vote on an illegal bill.

**Mr. Pollock:**

I abstain and I'd like to explain my abstention. I don't like to abstain, unlike other members of Council who use that as a nice, politically expedient manner. My abstention is because there's no interpretation of this rule and until such time as the obvious conflict in the interpretation of this rule is cleared up, I don't think this Council should address the issue.

**Mr. DePasquale:**

Point of order, Madam President. Didn't we state in our rulings that there would be no discussion when the vote is taking place?

**The Chair:**

The vote is being taken, Mr. DePasquale; you're out of order. All discussion is closed.

**Mr. DePasquale:**

I'm not out of order.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 6                      NOES none

(MR. COYNE, MICHELLE MADOFF  
AND MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 89

Report of the Committee on Finance for January 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 7

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gannett Fleming Transportation Engineers, Inc. in the amount of \$18,900.24 in partial payment of an

Emergency Contract to design a tieback wall to stabilize the conditions of distress within the south approach embankment, above and below Melwood Avenue; at the Bloomfield Bridge Project Site; and providing for the payment thereof."

Which was read.

Also,

Bill No. 9

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Six Hundred Forty Six Dollars and Three Cents (\$646.03) in favor of the 'National Academy for Professional Driving' for payment of materials to be used in the City's 'Hands-On Driver Training Program', not covered under contract. Funds are available in Code Account 1147, Index Code 114702, Materials, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 10

A Resolution entitled, "Resolution amending Resolution No. 936, effective December 11, 1987, entitled: 'Providing for the issuance of a warrant, without previous authority of law, in the amount of Thirty Six Thousand (\$36,000.00) Dollars, in favor of Mon Valley Petroleum for payment of the purchase of fuel, not covered under contract.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 17

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Marion A. Monheim, in the amount of \$1,600.00 for consulting services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof." —(SPONSORED BY MICHELLE MADOFF)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 19

A Resolution entitled, "Resolution amending Resolution No. 846 of 1987: 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private

Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account', by deleting the names of individuals holding certain City of Pittsburgh positions."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 20

A Resolution entitled, "Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for

professional legal services for the City Controller."

Which was read.

**Mr. Woods:**

On Bill No. 20, the resolution providing for an extra \$25,000 for the City Controller to add his solicitor. If we all recall the six members of Council that were here during the budget hearings, there was quite a debate on this issue. In fact, Council turned down the extra \$25,000. Then during final action, my colleague, Ms. Madoff, recommended that we give them another \$19,000 to train some people on the hardware or the software systems down there. At the time, and I have the transcripts here from all of us, at the time I said that he would come back if we gave him this money and transfer that money, because it's in the same code account, and ask this Council for \$25,000, or \$19,000 at the time, to give to his solicitor. Ms. Madoff, Mr. Pollock and myself made statements that we would monitor this and we would see to it that he didn't transfer that money.

Well, I apologize to my colleagues, and to you, Madam President, for leaving the meeting early last Wednesday. That bill came up and passed through this Council 8-0. When there's six members sitting on this Council that voted at budget time no, and I'm asking my colleagues at this time to vote this bill down. I told you that it was a subterfuge to transfer this money into that account or to give them that money. You all agreed but you said you would monitor it and see that he would not transfer this money into this account. Now is the time. And I spoke to Mr. Pollock before I left the meeting on Wednesday.

**Mr. Pollock:**

Mr. Woods, to the best of my knowledge, has presented the facts accurately. There's only one thing that I don't think he's correctly portraying and that is that this is not a transfer from code account to code account; this is a transfer within a code account.

**Mr. Woods:**

That's exactly right.

**Mr. Pollock:**

From my understanding in speaking with people, other directors and so forth, that a director has the right within those sub-accounts to transfer, that those sub-accounts are merely advisory and not binding and that a transfer from one code account into another code account is something that Council should serve as a check and balance on. But those individual sub-accounts are not binding.

**Michelle Madoff:**

Madam Chairman, I think that if I call upon people to talk about what happens outside of this Council then I have a responsibility to share with Council when I have been approached and have acted on behalf of someone else.

What Mr. Woods said was absolutely accurate. I was approached by the Administration to ask me whether I was coming to a meeting one day when Mr. Flaherty was going to be the subject, the Controller's budget. I said no, I wasn't coming because I had some other things to do. I was asked whether I would please introduce some bills. As a matter of fact, I came off as being very knowledgeable because I had a list of cities that had the numbers of people that work for the Controller's Office in various other comparable cities,

comparable population. I found it so informed and so knowledgeable, true confessions; they were handed to me. I came in and made a presentation on the basis of the meeting that I had called; I don't think anybody stayed until the end of the meeting and some people stayed for the beginning of the meeting which was the meeting on the Controller's need to be more efficient, to be able to supply this Council on a \$12,000 word processors with what they were intended to be which was truly information computers that would be connected to the main frame and give us various information that we need to operate not in a vacuum but as informed members during the budget time.

One of the things that I was concerned about - I would not do anything for anybody that I didn't believe in - if the Administration said, "Would you introduce this?" and I didn't like - If they said, "Would you have Mr. Woods as President Pro tem?", I would say no. But what they asked me to do was something I concurred with, which was that they felt that the Controller's Office was in such a state of chaos that if we took two people out of there nobody would get paid in this whole City, their payroll. And that it was vital that he get some controllers, that he get actually accountants.

And I, speaking for myself and for the intent of the Administration, asked Mr. Flaherty, as you may recall, to please give us the descriptions and titles of accountants that he would hire, not secretaries, not treasurers, not people to work filing, but who would be accountants. And I cautioned him, and this was not asked of the Administration, this was my own thought, that if he didn't move quickly to do that and go to, I think, it was 94 people, he had wanted 105, that we didn't move very quickly to supply us -

**Mr. DePasquale:**

Madam President, point of order. She's not on the bill.

**Michelle Madoff:**

I am answering Mr. Woods. I am on the bill.

**Mr. DePasquale:**

You're not discussing the bill.

**Michelle Madoff:**

I'm explaining why we voted the way we did on that bill previously. The issue was that if we didn't vote at that point, that if we didn't get from Mr. Flaherty the titles and job creation, that we would have those accountants so the Controller's Office can continue doing business effectively, we would be in big trouble. And my own thought was to say to him, "Mr. Flaherty, if you don't hurry up and give us that, you won't even get funded from the 86 to the 95." He got the message very clearly and came in in a very cooperative effort and he supplied that information promptly.

Also at the meeting that took place, and there was a summary at the meeting between all factions of the City, our computer division, the Controller's Office, the Treasurer's Office of the City of Pittsburgh, the Finance Office, and myself representing my interest in all those computers, it became blatantly clear that the information wasn't even there and we needed to get this information and that he couldn't get this information without having some help. And that was, of course, why I voted and supported the issue of having accountants.

What I'm saying is that people who have open minds change their minds.



That is our prerogative. As you learn, you have the right to change your thoughts. I think Mr. Flaherty has made some move in the right direction. There has been some conciliation between the Administration and Mr. Flaherty to improve his department. And I believe that there is not a legal firm in the world that can even monitor all the contracts which is really not supporting the Administration but supporting the public's right to know and to do the correct thing for the \$40,000 that they were being paid. Therefore, I changed my mind and I voted the \$65,000. Mr. Woods is absolutely correct in his presentation but I changed my mind based on evidence, based on a change of attitude, based on cooperation, and I hope that that spirit will continue because, if it doesn't, this City is in pretty bad shape.

**Mr. Lyons:**

Madam President, it was I who made the motion to accept this bill last Wednesday and for further clarity in it I called Mr. Flaherty to the table and he gave us and satisfied the members of Council that they had no objection to what he had said and the bill passed unsullied.

**Mr. DePasquale:**

In regards to what Councilman Lyons said, I have to echo his sentiments. When we sat here the other day, last Wednesday, nobody voiced an objection. In all fairness, Ben may have stepped out of the room for a minute or not, and I was assured by almost everybody that this would be in order. I can see what Ben is saying, but at the same time, I don't see how we can do one thing on Wednesday and then come Monday, for no other reason, say you're not going to pass it.

**The Chair:**

I'm going to close all discussion.

**Mr. Woods:**

No, Madam President; I am not finished. I made a statement and my colleagues said something back and I am entitled to answer them.

**The Chair:**

Mr. Woods, continue.

**Mr. Woods:**

Mr. Pollock said it was in the same code account; of course it's in the same code account. And if any director, whether it be Mr. Flaherty, the Administration or Public Works' Lou Gaetano, can move money freely, then what the hell is this bill doing before Council? That's what this is about; checks and balances. Mr. Pollock, you're the Finance Chairman; you should know that. It's out of your committee; you should also know that. That's why it's before us. It's checks and balances.

Now you may close the discussion; shut Mr. Pollock off.

**The Chair:**

Mr. Pollock, please; let's close this discussion. This is the last word on this. We're going to move on Bill 20.

**Mr. Pollock:**

I was just raising my hand to call for the question, Madam.

**Michelle Madoff:**

Point of order. The reason I voted against Mr. Woods, if he were in your position and someone else was trying to

make a statement like myself, he would have said out of order.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Michelle Madoff          |
| Mr. DePasquale | Mr. Pollock              |
| Mr. Ferlo      | Mr. Wagner               |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                NOES 1

(MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 21**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof."

Which was read.

**Mr. Ferlo:**

Madam President, on Bill No. 21. As you know, I voted no in Committee on

this and I expressed my concern about the fact that we, as a city, and this Administration in particular has expended great amount of resources in the form of professional service contracts and has hired consultant after consultant after consultant. I find it disappointing that this Council previously has voted to institute swimming fees for small children and families in the City, but it continues to give the Administration countless amounts of money for consultant fees. My opposition to this, primarily, to this is that Council has not been provided, to my knowledge, any information as to what these various training classes and sessions would be. I believe I asked the Director to forward that information to this Council. I know I haven't received it and I don't think the City Clerk has received it; possibly some other members have.

But I, again, voice my opposition to this bill on its substance and I would prefer to see the situation where within the Department of Personnel and Civil Service, that we have competent people at the Administrative level who are able to provide these so-called training services to the staff, whatever substance and form they take. So I am once again raising objection to this and I would ask you to consider voting negatively on this appropriation of a considerable amount of money. Thank you, Madam President.

**Mr. DePasquale:**

Are you going to make a motion to resubmit?

**Mr. Ferlo:**

I would like to resubmit the bill because we have not been provided with the information, unless another member of Council can explain what specifically we're buying all these services for.

Mr. DePasquale seconded the motion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |            |
|----------------|------------|
| Mr. Coyne      | Mr. Lyons  |
| Mr. DePasquale | Mr. Wagner |
| Mr. Ferlo      | Mr. Woods  |

AYES 6                      NOES 3

(MICHELLE MADOFF, MR. POLLOCK  
AND MRS. MASLOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

Bill No. 22

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 23

A Resolution entitled, "Resolution amending Resolution No. 782, (Items C & F) approved October 6, 1987, authorizing

the sale of properties in various Wards of the City of Pittsburgh."

Which was read.

Also,

Bill No. 24

A Resolution entitled, "Resolution Repealing Resolution No. 902, Item F, approved October 13, 1986, which authorized the sale of property in the 16th Ward, being a 2 Story, Brick house, located at 145 Rinne Street, designated as Block 13-S, Lot 38 to Patrick J. Goslin, for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 25

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 30

A Resolution entitled, "Resolution providing for a transfer of funds from Code Account (45), Index Code (004507), Health Insurance-Municipal Employees, Department of Finance, to Code Account (PSTA), Index Code (253450) in the amount of One Hundred Thousand Dollars (\$100,000.00), and providing for the reimbursement to Code Account (45) at a later date."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 90

Report of the Committee on Planning, Housing and Development for January 20, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 16

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(44) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to use the existing structure located at 362 SOUTH NEGLEY AVENUE by Abraxas Foundation, Inc., as a Group Care Facility for 17 youths with full-

time adult supervision, 8th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 91

Report of the Committee on General Services for January 20, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 11

A Resolution entitled, "Resolution amending Resolution No. 281, effective March 30, 1987, entitled, 'Providing for the letting of a Contract or Contracts for the furnishing and delivery of Motorized Fire Equipment for the

Department of General Services and for the payment thereof, ' by increasing the amount from Five Hundred Thousand (\$500,000.00) Dollars to Seven Hundred and Eleven Thousand (\$711,000.00) Dollars."

Which was read.

**Mr. Ferlo:**

Madam President, I would like to make an amendment to Bill No. 11 in relation to the fire equipment. I'm taking the suggestion of my colleagues; the amendment is in writing before you today and I believe you have a copy of it.

The amendment to Bill 11 reads, "Directing the Mayor and the Director of Public Safety to develop and implement a fee schedule for use of the City's new hazardous material foam truck. Such fee shall be collected from the municipality or entity outside of the City of Pittsburgh which makes use of the vehicle. The fee should include but not be limited to the cost of materials used, insurance, labor and depreciation of the vehicle."

The reason for making this suggestion is that this is a piece of equipment that is highly expensive, first of all; and secondly, it is a piece of equipment, quite frankly, that will be used heavily outside the municipality of the City of Pittsburgh. The Ashland Oil spill is an example but throughout the small municipalities and throughout the county, this piece of equipment will be called on many times throughout the year.

Having talked to Mr. DiNardo, he, too, urges that you give consideration to this amendment because he feels strongly that if this piece of equipment is used outside the municipality, that we should be of the mind of collecting some

income for its use.

So, I would like to make that amendment; I think it's in keeping with good neighbor policy. But at the same time, it's collecting a user fee, not from little kids who can ill afford to pay for swimming but from municipalities who should help share the burden of this specialized truck for the use of hazardous materials.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

I oppose the amendment and my reason for opposing it is because I think we have enough problems with our four percent wage tax, us against them. To start putting a user's fee when we loan a piece of equipment that would be used because of imminent danger to people's lives and safety when we, and I will tell you for a fact, the City of Pittsburgh borrows equipment all the time from other boroughs and townships when we need it, and there should be more exchange of that so the federal government doesn't have to pay for redundancy in equipment.

I would like to hear the rationale from Mr. DiNardo personally as to why this piece of equipment should have a user's fee and he may convince me that we should vote for it. But to have it come out of the blue and say, "Yes, we should have a fee", the next time we need a piece of equipment from some agency or from somebody outside the City, they might charge us, and I would be very concerned about that.

**Mr. Lyons:**

I'd like to ask Mr. Ferlo, has he considered the size, weight, wheel base, and that the weight of this foam pump exceeds the limitation of many of the

bridges that are in Pittsburgh. Certainly I would have a lot of apprehension because it wouldn't be a first run vehicle to a fire.

**Mr. DePasquale:**

Madam President, point of order. We're not talking about the same thing on this.

**Mr. Lyons:**

He's talking about a foam pump on his amendment.

**The Chair:**

No, we're talking about just the amendment.

**Mr. Lyons:**

My point is, is it only going to be purchased to use for hazardous waste? Otherwise, it's too big for many bridges in its weight and size.

**The Chair:**

That's not the issue; we're talking only on the amendment.

**Mr. Lyons:**

That's what I'm speaking of, on the amendment of the foam pump. Is it only going to be used for hazardous waste or rented out to other municipalities?

**Mr. Wagner:**

Madam President and members of Council, on the amendment in terms of the user fee, presently there is in existence a procedure within the Administration to charge others for the use of Public Safety equipment. A good example is the Bloomfield railroad train derailment accident where Conrail was

actually charged for the utilization of our equipment.

What Mr. Ferlo is doing here is formalizing the procedure with Councilmatic action, and I think it's an appropriate procedure.

**Mr. Coyne:**

Madam President, I'd like to agree with Mr. Ferlo's amendment here. It seems as if this pumper was called out to be used at a hazardous materials site, the foam inside the truck would be used and someone would have to pay to replenish the supply of foam. I don't think the citizens of the City of Pittsburgh should be paying for clean-ups, even if it is an emergency. I see letting the suburban areas use our facilities and use our equipment, but I think if something needs to be replenished, that the body who is using that equipment should be forced to pay for it.

**Mr. Pollock:**

Madam President, I have no strong feelings about the bill one way or the other. I would only suggest that there certainly is no emergency involved in this bill and that common courtesy should dictate that the Director of the department in which the bill is coming out of, General Services, and/or the Director of Public Safety should at least be permitted to address Council on the merits or the reasons for not having the bill.

I would ask that since there is clearly no emergency involved, that these two fine directors be given that courtesy to tell Council on a Wednesday session what their feelings are about this bill. I think it's an impolite precedent to put things through on Monday by amendment when there's no exigent

reason for doing so without permitting directors to have the courtesy of addressing it and permitting Councilmembers the option of asking directors about the amendment.

**The Chair:**

Will you withdraw your amendment?

**Mr. Ferlo:**

You know, when Mark started talking I was perfectly willing to hold this. But it seems like at the end of his commentary, I'm more inclined not to do it. But in keeping with the sense as opposed to the personal inflection that he commented on, I think I did make a good faith effort to communicate to the Directors and seek out their opinions.

It was my understanding the amendment had to be in writing. As I am a new colleague, I will try to learn the procedure more, as Councilman Pollock has suggested, and I'm very happy to ask that this be held for a week. In addition, there are some concerns that have been raised by the Fire Union and I would like some clarification on that. So, I am perfectly willing to yield to Councilman Pollock's suggestion.

**The Chair:**

Will you withdraw your amendment?

**Mr. Ferlo:**

By all means.

**The Chair:**

Will you withdraw your second, Mr. Wagner?

**Mr. Wagner:**

No, not at this point in time, I don't. And the reason being, if I may comment, I believe Mr. Lyons or Mr. DePasquale or possibly Mr. Ferlo is going to make a motion to put this back in Committee, due to some questions that have come up about the size of the vehicle. We're talking about two separate issues here; the amendment and the size of the vehicle. I think it's appropriate to vote on the amendment and then the motion will be forthcoming and will come back into Committee.

Mr. Ferlo has taken all the appropriate procedures to consult with the people in Public Safety about his amendment. I have also talked with Mr. Ferlo about it and I have talked with the Deputy Director of Public Safety about it. So, they are well aware of this amendment and they have no problem with the amendment. For that reason, I think it's appropriate to vote on it. It's in writing; every Councilmember knew it was coming. It's in front of us and we can vote on it.

**The Chair:**

We're going to vote on the amendment.

**Michelle Madoff:**

Madam Chairman, my concern - and as I said, I have an open mind on this issue; I just wanted to speak to the Director personally and ask some questions - was that we do not get into a situation where we don't loan equipment and they in turn, another community, will not loan us equipment. If memory serves me well, from time to time, the City of Pittsburgh has borrowed equipment from West Penn Water in emergencies. We've borrowed buffaloes, water tankers, from other communities.

We have loaned equipment. We have, on occasion, had to borrow a heavy piece of equipment when we've had ours out of action. I just want to be sure that we will not be starting a precedent that would not be a healthy one for the entire community because how goes a city, so goes the whole community.

I have no objection to the bill; I think the whole bill should be recommitted for clarification with the Director and I understand someone is going to make that recommendation.

**Mr. Pollock:**

Madam President, I apologize if Mr. Ferlo gathered something from my comment that was personal. I meant no personal attack on anyone. I only felt, as a positive gesture, that our directors deserve respect and that their comments should certainly be included in the record when there is not an emergency involved. Clearly, if there is something that an amendment was required where action is taken, then we would have to address it at that time. But I see no exigent circumstances for voting on this without input from the Director. I think that we owe these ladies and gentlemen respect and the other Councilmembers the courtesy of having their questions asked and answered as well.

**Mr. Ferlo:**

Thank you, Councilman Pollock. To sum up, I agree with Councilman Wagner that we should vote affirmatively on the amendment and then move, secondly, to hold for a week. So, I would like to continue with my amendment.

**The Chair:**

Mr. Ferlo has made an amendment and Mr. Wagner has seconded it. We're

going to vote on the amendment.

**Mr. Woods:**

Just one clarification, if I may, Madam President, if I may address Mr. Ferlo. Did you state, or did I hear wrong, that you did contact the particular directors?

**Mr. Ferlo:**

I contacted Mr. Cannon; he was not available. Mr. DiNardo took the call and communicated the information, as I stated, speaking favorably of the amendment.

**Michelle Madoff:**

I will abstain until the Director is back. The bill is going to be recommitted.

**Mr. Pollock:**

I will abstain until such time as I have some input from Director Cannon and/or Director Botsford.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

**AYES 7**

**NOES none**



(MICHELLE MADOFF AND MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Wagner:**

I move to recommit the bill.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

Bill No. 12

A Resolution entitled, "Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled: 'Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

**Mr. DePasquale:**

Madam President, I believe Bill No. 12 is a companion bill to Bill No. 11.

**Michelle Madoff:**

I move to recommit this bill also.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Michelle Madoff presented**

Bill No. 92

Report of the Committee on Water for January 20, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 47

A Resolution entitled, "Resolution instructing the City Solicitor to communicate to the Secretary of the DER a request of an INVENTORY OF UPSTREAM CONTAMINATION THREATS TO DRINKING WATER SUPPLIES AND AN EMERGENCY PLAN OF ACTION and instructing the Director of Water and the Director of the Water and Sewer Authority to conduct water quality testing at the riverfront and bed near the Harrison Township lindane flow and the Bruin Lagoon-Bear Creek site."  
—(SPONSORED BY MR. FERLO)

Which was read.

**Michelle Madoff:**

Madam President, I support the bill; there's just something very important missing from the bill, and that is that the readings, the grab samples be blind grab samples and that they be taken at the intake to our drinking water supply. It is not just sufficient to take them at the source of discharge, at the outfalls, to take them at out intake. I think that is very important that we expand it to include that. That's an emergency kind of thing and I apologize for not getting it right; I wasn't here. I was at a meeting for other City business.

I just made a suggestion to my

colleague and he accepts it. To have blind grab samples at the intake to our water supply on the Allegheny River in addition to what is recommended. I'm just making an addition to the bill.

**Mr. Ferlo:**

It certainly is a friendly amendment, definitely.

**The Chair:**

All in favor of the amendment?

**Mr. Ferlo:**

Madam President, I don't know if everybody is clear on Michelle's amendment, including the stenographer.

**The Chair:**

Is there anybody who is not clear?

**Mr. Ferlo:**

Michelle, could you restate your amendment, please?

**Michelle Madoff:**

My motion to amend is merely to just add on that blind grab samples be taken at the intake to the Pittsburgh water supply on the Allegheny River. That is all; that's all I'm adding. It is not sufficient to take them at source, at outfall; you have to take them where the water comes in. And to report back to this Council.

**Mr. Ferlo:**

Thank you.

**The Chair:**

We don't usually amend bills without having them presented before --

**Michelle Madoff:**

I know and I apologize but I was at a meeting this morning on an important issue; I got here just in time to rush in here.

**The Chair:**

In this case we'll allow the amendment.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

**The Chair:**

Is there any discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 93

Report of the Committee on Parks and Recreation for January 20, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 6

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company to install, use, operate, maintain, repair, renew and finally remove at its sole cost and expense, two (2) poles, together with crossarms, cables, wires, guys and other necessary appurtenances thereto belonging, upon, over, along, across and through certain property of the City of Pittsburgh situate in the 26th Ward, designated as Block and Lot 76-D-1, in connection with electrical service to Riverview Park."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Wagner presented**

Bill No. 94

Report of the Committee on Public Safety for January 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 31

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Instructors for the Training Academy and providing for the payment thereof."

Which was read.

Also,

**Bill No. 32**

A Resolution entitled, "Resolution amending Ordinance No. 9, approved April 2, 1979, and effective April 19, 1979, entitled: 'An Ordinance providing for charges by the Department of Emergency Medical Services for ambulance service to non-residents; and creating a special trust fund in connection therewith,' by setting a termination procedure and date for Trust Fund transactions."

Which was read.

Also,

**Bill No. 33**

A Resolution entitled, "Resolution amending Resolution No. 1206, approved December 13, 1985, and effective December 17, 1985, entitled: 'Resolution authorizing and directing the City Treasurer to deposit within the Department of Public Safety Third Party Payer Trust Fund (DPSTPP) Index Code 251959 certain fees generated by the Bureau of Police and the Bureau of Fire of the Department of Public Safety, and authorizing the use thereof by the Department,' by setting a termination procedure and date for Trust Fund transactions."

Which was read.

Also,

**Bill No. 34**

A Resolution entitled, "Resolution further amending Resolution No. 519, approved May 18, 1981, and effective May 29, 1981, as amended by Resolution No. 1148, approved November 8, 1982, and effective November 22, 1982, as amended by Resolution No. 464, approved June 10, 1987, and effective

June 16, 1987, entitled: 'Resolution providing for an Agreements or Agreements with the School District of Pittsburgh for the provision by the Department of Emergency Medical Services of paramedics at certain student athletic events; providing for reimbursement to the City of the cost thereof; creating a special trust fund in connection therewith; and authorizing deposits of funds from other Agreements by changing the name of the trust fund, authorizing certain additional deposits from all Bureaus of the Department of Public Safety, authorizing the expenditures of trust funds for premium pay,' by setting a termination procedure and date for Trust Fund transactions."

Which was read.

Also,

**Bill No. 35**

A Resolution entitled, "Resolution further amending Resolution No. 179, approved February 20, 1981, and effective March 2, 1981, as amended by Resolution No. 83, approved February 4, 1985, and effective February 15, 1985, entitled: 'A Resolution providing for the changes for third party payers from ambulance service rendered to the residents of the City of Pittsburgh, and creating a special trust fund in connection therewith, and authorizing payment of Department of Public Safety related costs and expenses from the trust fund,' by setting a termination procedure and date for Trust Fund transactions."

Which was read.

**Michelle Madoff:**

Madam President, I would just like to point out, on Bills 32 and 35, for the Record, that had we had a fiscal analyst long before I came to Council, we would

have known that by paying third party payee and non-City residents for paramedic service, we would have generated, as we have, \$20 million in the time the bills have passed here, and I understand it's a minimum of \$2 million a year. I hope that when we get to that subject matter on Wednesday that people will keep it in mind. I'm very proud of whatever input I have had on this legislation.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 95

Report of the Committee on Engineering and Construction for January 20, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 44

A Resolution entitled, "Resolution Repealing Resolution No. 126, effective February 25, 1987, entitled: 'Providing for a Contract or Contracts or use of existing Contracts, for Construction of a Parking Lot for Fowler Pool and Park; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 45

A Resolution entitled, "Resolution amending Resolution No. 1255, effective December 31, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Swinburne Street Bridge; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total allocation by \$25,000.00."

Which was read.

**Mr. Wagner:**

Madam President, I'd like my comments brought forward on both bills for the record, please.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 44 WEDNESDAY,  
1/20/88)

Mr. Wagner:

Mr. Reginella, we are taking the money from the Fowler Pool Parking Lot Project and putting it towards West Penn Pool. The Fowler Pool and Park Project, that will be done in-house.

Mr. Reginella:

Yes.

Mr. Wagner:

Will the same exact project as originally proposed and all the work involved in that project, will that be done by in-house people? What I'm getting at is, we're not cutting back on that project by doing it in-house.

Mr. Reginella:

It was just a matter of resurfacing the parking lot and perhaps doing something with the drainage, all of which Public Works can handle.

Mr. Wagner:

Will that be done within the same time frame also?

Mr. Reginella:

Yes.

Mr. Wagner:

So you found a way to shift dollars from the Fowler Pool Project to the West Penn Project and still do the same work at Fowler.

Mr. Reginella:

Correct.

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Mr. Wagner:

That leads me to the next question. Why didn't we propose to do this in-house to begin with?

Mr. Reginella:

That's a good question. I think that the resurfacing of a parking lot, though it may not appear to be a major project, it's something that Public Works would not normally do. They have other responsibilities, they have other obligations and they feel this takes them away from their normal maintenance type of work. However, under duress if you will, they reluctantly agreed to do it.

Mr. Wagner:

First of all, I'm very pleased that you are doing it and I'm very pleased that you are moving forward also on the West Penn Project. It's a critical project for the Polish Hill area and that project has to move forward in '88.

What I'd like from you and from Public Works is with the completion of the Fowler Pool and Parking Lot Project, I'd like the cost figures of doing that in-house. I'd like someone to tabulate that and report back to Council because I'd like to get a feel for whether or not we can do it cheaper in-house rather than going out to contract. So if you could request from Public Works that they keep particular line items on that project and report back to Council maybe we should be doing more in-house rather than going to contract. Thank you.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

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(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 45 -  
WEDNESDAY, 1/20/88)

Mr. Wagner:

I have one question. Director, when can we expect a follow-up of Councilman DePasquale, when can we expect to see work begin on the bridge?

Mr. Reginella:

We are scheduling the advertisement of this project on February 3rd of this year and we can expect construction to begin in May of this year.

Mr. Wagner:

So the bridge will shut down in May and how long will it take to complete?

Mr. Reginella:

We are hopeful that it will be completed in 1988 but contractually we are giving the contractor a year and one-half to complete the job.

Mr. Wagner:

We're happy to see it move forward.

Mr. Reginella:

In connection with the rehabilitation we're going to re-paint the structure and it will occur in 1989 with the actual rehabilitation completed before the end of this year.

Mr. Wagner:

Thank you.

(END OF REMARKS)  
PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1



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**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Wagner:**

Madam President and members of Council, I just want to report very briefly on a waterline break that occurred last week at the corner of Baum Boulevard and South Graham. I was out at that waterline break and, not that we don't have a lot of waterline breaks in the City, but I was out there for a couple hours and I watched the excellent job that our Water Department employees, our Public Safety employees and our Public Works employees did, not only to keep water running after a 12 inch line and a 6 inch line had broken and the street caved in, not only to keep the water running, and the actually kept it running in every home and every business in the area, but also, they worked around the clock, repaired the lines adequately, and it's my understanding that the street will be open within hours, possibly within

the next 24 hours. It may even be open today. Momentarily it will be open.

But I simply want to state that I watched those people work; they worked under some hazardous conditions in a hole. We were very fortunate that there was no serious accident because a street actually did cave in without a vehicle being on it; a bus had just ridden over the area. It was about a 10 foot ditch. But in watching the people work, I know we don't often compliment publicly our City employees but Public Safety and Police boarded off the area immediately, within 10 minutes. The Water Department was in there, Public Works vehicles were in there and they did an excellent job and I just simply want to publicly compliment them.

**Michelle Madoff:**

On another issue. One very quick comment and then I've go two items.

Today I amended a bill without complying with the rules of Council which were amended to say that we cannot amend a bill unless we have it in writing. Frequently, we may come in to information at the last moment or we may not even be aware of something that doesn't hit us until the last second.

I think that we ought to suspend, we ought to have a bill introduced that would suspend the rule that says you must have it in writing and permit amendments to bills as I did today to have the water samples taken at the intake to our water intake as opposed to where the contamination is coming out at the outfall. That's such a blatant, obvious correction that my colleagues certainly did not object to it.

It seems to me that we should not be obstructionists in helping one another and I think I did that in the spirit of help

and it was taken that way, that we change our rules of Council introducing a bill that says that we no longer need to have the amendments in writing because sometimes there just isn't time. I had a meeting today, as I said, and I didn't get here in time to do it. Somehow that slipped by me; I didn't get to read the bill. I was very busy.

I would like to make that as a consideration for this Council.

On another matter. In about nine minutes, we've been calling Dan Pellegrini to get the decision that Dan has for us on the situation on the appointments to Alcosan, whether indeed Council has that authority or whether the Mayor has that prerogative and, if indeed the Mayor has it or Council has it, or if the Mayor has it, does he have the right to recall if he had the right to appoint.

Over the past week I've had the opportunity to talk to Pete Flaherty, I bumped into him, and I bumped into Jack Lynch who is out of the country most of the time. I asked him what happened. He told me pretty much what was reported in the media, that indeed there was the skybus issue, a lot of fighting between the Administration and Council, and they both told me this. Council just took the prerogative and appointed; that indeed, they admit, it was the prerogative of the Mayor. Now, if it is the prerogative of the Mayor, I think Danny will give us that opinion as soon as he's out of the meeting, and it is now seven minutes.

I would like to refer back to a situation that has happened here in Council. May I address Mr. Wagner, Madam President? Mr. Wagner, I asked Dan Pellegrini why he did not give us an opinion. I expounded to him that that was one of the reasons I felt that we

needed our own legal counsel. He said, "I didn't give the opinion because nobody asked for it." I recall you saying in this Council that you asked for it in August. Am I correct?

**Mr. Wagner:**

June of 1987.

**Michelle Madoff:**

In other words, you had asked for it a long time ago. The rule of the Law Department appears to be that they don't grant opinion unless it is a question asked by Council as a body. So that if you asked for an opinion, Dan Pellegrini had no obligation to give you an answer. And I think that's horrendous.

**Mr. Wagner:**

Mr. Perry, was that asked by Council or by me personally?

**Mr. Perry:**

You personally.

**Mr. Wagner:**

But it was through you at this meeting, correct?

**Mr. Perry:**

There was no vote taken though, Jack.

**Michelle Madoff:**

Please, this is not a criticism of you, Mr. Wagner; as a matter of fact, I commend you for observing and talking to Mike Perry and finding out what happened years ago. I think you did us a tremendous service. But what I'm reporting to you I think you ought to know. Dan Pellegrini said that the

reason you didn't get an answer is that this was not a question of Council; it was a question of one person. I think he had an obligation, then, to come back and tell you, out of courtesy, that the reason you weren't getting an answer is because it was not a question of Council. I know that you would have come back to this Council and said, "Can we please get an opinion?" and I can't believe that even with what went on here today, and I refer to us as the Nine Stooges, I can't believe what's happening here, I still believe that you would have had four people support you in getting an answer from the Legal Department. I think that's disgraceful.

I asked Mr. Pellegrini why he didn't on his own observe that this error had been made. I've been here nine and a half years and I didn't know that the Mayor at one time had the right and the authority to make the appointments to Alcosan and that that was taken away from him just by virtue of the Council appointing and the Mayor, at that point being Pete Flaherty, not caring and didn't care enough to exercise his authority; he didn't feel it was important. The appointments, I think, he felt were good appointments; there was no reason to make a change.

It was one of those things that just happened and it just perpetuated itself and that's why I had such concern today that we were voting to appoint a President Pro tem without having an opinion. I've learned from legal counsel that we could get a ruling and the ruling would probably say that it was an illegal vote. But then Council, as Mr. Ferlo said, would probably go back and amend the Rules of Council and would make the appointment then. So, it's a lose-lose situation and there's no point in rehashing it.

But I wanted to know whether you

were aware of why you didn't get an answer, Mr. Wagner.

**Mr. Wagner:**

Correct me if I'm wrong, Mr. Perry, but my request to you was, at this formal Council Legislative Meeting, was to request from the Solicitor who has the power to appoint to Alcosan. The letter was sent from you, representing Council, as my request to Mr. Pellegrini asking in letter form last June.

**Mr. Perry:**

That's correct but what Danny meant was that whenever a Councilmember would like to have a legal opinion, it has to be a motion on the floor and Council has to approve it as a body. That didn't happen, Jack.

**Mr. Wagner:**

You're right; it didn't happen. I thought, though, formally asking it through the City Clerk at this legislative meeting was the appropriate procedure.

**Mr. Perry:**

No, I need a motion with Council's approval.

**The Chair:**

It seems to me we're beating a dead horse. We've been told now that we've been making an error for all of these years. Now it seem to me that if we've made a mistake and the Mayor should have made the appointment, I believe that the Mayor now has the right to —

**Michelle Madoff:**

We don't know that; we have not had the legal opinion, and I'm making the

point, President Masloff, that first of all, if we had our own legal counsel perhaps they would have observed this when Mr. Wagner raised the issue over six months ago. Somebody who was our own legal counsel may have observed that and given him an answer.

Secondly, he may have corrected us saying, "Mr. Wagner, you didn't ask for that opinion as a body; you asked it as an individual."

More important right now is the issue of what are we going to do? That opinion is supposed to be ready in four minutes. I would like to move that we stay and ask Mr. Pellegrini to give us, as a body, as opposed to slipping it to the media or bringing it down and then we read about it. I want to know why he didn't give Mr. Wagner a response to say, "I cannot give you an answer until you come to us as a body." Do you understand, Jack? To at least have told you that so that we could have then asked it, if you wanted to, as a body.

Secondly, I would like to know the legal opinion, if indeed it was an error. My opinion is that indeed it is probably something that should be corrected, that the Mayor has that power to appoint. Does he now have the power to remove? And I would like to know, in a letter to the Mayor, what he is going to do. I think that if we recess for three minutes or five minutes we could have Dan here because he's supposed to be here at 4:00 and it's two minutes to four. And I think the public has the right to hear. This is the only time we ever get tuned in, on our Monday meetings.

**The Chair:**

Mr. Ferlo?

**Mr. Ferlo:**

It's not on this subject.

**Michelle Madoff:**

Could we go on to another subject and have Mike call Mr. Pellegrini to ask him to be here with that opinion? That opinion should not be given privately; it should be given to this Council as a body.

**Mr. Woods:**

On the same subject, also, I would like to ask this Council to vote on a legal opinion from Mr. Pellegrini, and this may have been what happened years ago when Council took the liberty of appointing someone to Alcosan. In the Home Rule Charter, it states that if the Mayor doesn't appoint a board member in, I think it's 30 or 60 days, this Council has the right to appoint. So, also, I would like a legal opinion from Mr. Pellegrini, and this is one that they don't like to get, that if any of these vacancies are not filled within 60 days, this Council has the right to do that. And I am asking this Council to vote to ask for a legal opinion and we'd like it back within two weeks. I sat in this Council and we had many, many battles over this with the Administration of who can appoint, who can't appoint, and how many days they can appoint. So, I would ask this Council now, and I put it in the form of a motion

**Michelle Madoff:**

Excuse me, I have a motion before Council. I asked the President to please call Dan down, and you went on to another item.

**The Chair:**

It's on the same subject. Now, what is your motion, Michelle?

**Michelle Madoff:**

My motion was, would you please ask the City Clerk to have Mr. Dan Pellegrini come down now, while we're still in session, and give that ruling because he has it ready for us. He was supposed to be available at 4:00; it is now 4:00. I think the public has heard about it long enough; they would like to hear it at the same time we're hearing what his opinion is, so we can now ask him the question, what do you plan to do, Dan, and how do you plan to enact it. So, if you would instruct the Clerk to have Mr. Pellegrini come down, we could go on with the motion that Mr. Woods has, which I support, and another item that Mr. Ferlo has.

**The Chair:**

I won't ask him to do that.

**Michelle Madoff:**

You will not ask him to do that?

**The Chair:**

No, I'll ask him to submit it in good forum and we'll have plenty of time to make it public to everybody. It doesn't have to be at an open forum. He can come back on Wednesday again, if we want him to.

**Michelle Madoff:**

Madam Chairman, he cannot come back on Wednesday because Wednesday we're not allowed to discuss anything. The only time we can discuss issues is on Monday, after we've had the bills. On Wednesday we're only allowed to address finance matters.

**The Chair:**

I can ask for a post agenda if we

want to submit it.

**Michelle Madoff:**

But post agendas are not televised.

**Mr. Woods:**

I would like to make a motion --

**Michelle Madoff:**

I haven't gotten a ruling.

**The Chair:**

I did rule; I said I'm not going to --

**Michelle Madoff:**

I want the public to understand what you're ruling on. You're ruling that you do not want Mr. Pellegrini to come down here now at 4:00, as he said he would, and give us his opinion so the public can be a party to that. You're ruling against that? I just want the public to know.

**The Chair:**

It's not the public. We will get an opinion in due course from Mr. Pellegrini and it will be made public.

**Mr. Woods:**

I would like to make the motion that we ask the City Solicitor for an opinion of the Home Rule Charter, and I forget exactly what section it's under, but it says 60 days, if the Mayor does not appoint to boards and commissions, that this Council has the right to do that. And we had a battle on this a number of times in this Council and we never did get an opinion from the Solicitor but we've talked to him a number of times and this time I would like, if I get a second, to get --

Michelle Madoff seconded the motion.

**Mr. Coyne:**

On the same matter, Madam President. I feel, personally, that the rules are self-explanatory. Council does have the right to appoint after 60 days would expire. But I don't think Councilwoman Madoff is so out of line asking Mr. Pellegrini to come down and to explain his interpretation of that rule. I think it's gone on long enough and if Councilman Wagner did ask back in June, and he wasn't able to get an answer, I think once and for all, to clear this matter up —

**Mr. Woods:**

Point of order, Madam President. We're on another subject.

**Mr. Coyne:**

I have the floor. I think just to get this issue over with once and for all, I mean, I don't feel like sitting here and I don't think we should waste the taxpayers' money by having this issue come up and come up and come up and people saying they heard this and that. I think once and for all, get the Solicitor to please come down and get his opinion to solve and clear up the air.

**The Chair:**

As soon as Mr. Pellegrini gives us the opinion, it will be made public for everybody.

**Mr. Woods:**

Madam President, if I may. Mr. Coyne was talking on the subject you have ruled on, and I was talking on a subject. You were asking for a vote, a motion, on a whole different subject. You have made a ruling on what Mr.

Coyne was talking on, not my motion.

**Mr. Coyne:**

Madam President, I do believe I gave a comment on Mr. Woods' motion. I think that the rules are self-explanatory that after 60 days —

**The Chair:**

Mr. Woods, what is your motion?

**Mr. Woods:**

Mr. Robinson, when he was on Council, made the same motion here. I would like an opinion from the City Solicitor to interpret the Home Rule Charter for us, that after 60 days, if the Mayor does not make an appointment, Council has the right to make the appointment. That's what it is right now, in righting, in the Home Rule Charter. The Administration fights us on this all the time and I'm sorry that Mr. Coyne, who just got here, was not part of these fights. That was my motion and it was seconded by Ms. Madoff.

**Mr. Pollock:**

Discussion on the motion. I would just ask the maker of the motion, since, obviously, he has served here longer than I have, if there is some precedent where there has been a 60 day period where an appointment was unfilled and Council attempted to appoint and it was ruled an invalid appointment —

**Mr. Woods:**

Yes. If I may address that, Madam President. Yes, there was. I think Steve Grabowski, this Council, there was a motion on this floor to name Bill Robinson, I believe, to the Urban Redevelopment Authority. The City Solicitor intervened and the Mayor,

without Council's approval, named, I think, Steve Grabowski. Am I right, Mr. Wagner?

**Mr. Wagner:**

Yes.

**Mr. Pollock:**

That's beyond the 60 days?

**Mr. Woods:**

Yes. That's why I'm saying there was a fight. I know that everything that is in black and white isn't always in black and white.

**Michelle Madoff:**

I support Mr. Woods' contention that we get an opinion because it is true, that is one that comes to memory, but I think its on more than one occasion that the Administration has appointed after the expiration time. And I think we need, in addition to it, if the maker of the motion would also amend, to say, what do we do when the Administration appoints after the 60 days. What are our prerogatives and what are our rights?

**Mr. Ferloc:**

I have no problem supporting the motion but I would prefer the strategy that would do the following: first of all, we should hire our own solicitor and, secondly, we should make our own appointments in those positions that the Mayor has not filled and, thirdly, let them litigate the matter. But I will support the amendment.

**The Chair:**

All those in favor of the motion?  
Opposed?

#### WHICH MOTION PREVAILED.

**Mr. Ferloc:**

Madam Chairman, I have three items and because of the hour and the patience level of everyone, I'll be very brief.

I just wanted to say several things. First of all, I would like to request that a public hearing be held on the Allequippa Terrace issue, including the issue of the City Housing Authority reducing the overall number of housing units. I would ask that you grant the public hearing so I don't have to go through the trouble of requesting a public petition. A number of community groups have asked me for the hearing as well as the tenants involved. I think I tried to withdraw my earlier resolution in the hopes that Mr. Pietragallo would come to the table and give us some information, but I am, once again, formally requesting a public hearing on the Allequippa Terrace demolition.

**Mr. Lyons:**

Madam Chairman, I'll have the Director here, probably next Wednesday, at a post agenda so he can meet with the Council so we can determine how to chart our course.

**Mr. Ferloc:**

I'm only asking that in that meeting, that citizens be allowed to speak. They're being left out of this whole discussion and debate. If the citizens would be allowed to come to the table and speak at that hearing or meeting or post agenda, whatever you're calling it, then I'll withdraw my motion for a public hearing. But part of the problem is the individuals directly affected, as well as public housing advocates here in the City, have not

been permitted an opportunity to speak on this issue. Either it's going to be in the format of a formal public hearing before Council, and I will again ask that it be televised, or we can allow these people to have their say at the table and we can help resolve the matter.

**Mr. Lyons:**

I think if Mr. Ferlo would remain with General Services, he would do a good job. This is my territory and I'm offended.

**Mr. Ferlo:**

Madam President, all issues are before this legislative body and I respect my colleague, Councilman Lyons, but in important matters such as the demolition of public housing in the City, with no clear indication that the federal government has any money to give to this City to replace those units, and people are being put out on the street, that's a matter that all of this City Council should be concerned about. It's not a question of protocol; it's a question of the public being allowed to have some input into this body. I would like the public hearing; if I can't get the five votes for it, I will communicate that to the citizens involved and they will go through the process of submitting a formal petition.

**The Chair:**

I will rule that we're not going to have another hearing on this matter. We've discussed it pro and con, fifty times, back and forth. If you want to get a petition for a public hearing, that's up to you.

**Mr. Ferlo:**

Actually, Madam President, none of us have discussed the issue at all in

its substance. Nobody in Council, other than individual lobbying by the Authority Director, has been afforded any information regarding the demolition and the whole host of questions which I raised earlier. So, I beg to differ with Madam President on that.

I'll just close by finishing two brief points on the issue of a letter that the staff person for the Apportionment Commission, Mr. Zabierek, sent out. I think it's an affront to community groups throughout the City and I would hope that there would be a clarification either from Mr. Zabierek or from the Mayor's Office, that this letter that the staff person sent out is a personal letter from himself and in no way reflects the policy of the Administration. And I think it's all a matter of Council speaking out when individuals from the Administration or any other governmental unit attempts to suggest that community groups who receive public funds from the City somehow do not have the right to advocate or speak out on any issue of public policy. And I hope that that is not what the Mayor is saying in reading the letter from Mr. Zabierek which I'm sure many of the Councilmembers have been made aware of over the weekend, if not today.

So, I would hope that Mr. Zabierek would clarify his letter and I would hope that in no way is the Administration suggesting that community groups receiving City funds are now allowed to educate and advocate and to lobby on what they feel is in their best interest.

I would just close, Madam President, by reminding Councilmembers that my last post agenda session that I will convene will be held this Wednesday on the issue of the City garbage. It's obviously not only a nationwide problem but it's going to be a problem that we're all going to have to deal with at the end



of the year because we face a financial crisis on the issue of our contract expiring at the end of this year. I would like to avoid a budget-time crisis before Council on this issue and I think there are clearly some alternatives that we need to look at.

The County Planning Director, Mr. Reeves, will be here following Wednesday's session with information regarding the County's future role in this matter and I hope that Councilmembers interested in this subject will participate in this post agenda session.

In the future, I will be requesting formal public hearings before this legislative body and I hope the staff is ready because there will be many hearings since post agenda sessions do not seem to be the best format for this particular Councilmember to express viewpoints.

Thank you, Madam President.

And on the motion of Mr. Wagner

Council adjourned.

1. The first part of the report is a general statement of the purpose of the study.

The purpose of the study is to determine the effect of the new teaching method on the learning of the subject. The study is a quantitative study and the data will be collected from a sample of students.

The study is a quantitative study and the data will be collected from a sample of students. The study is a quantitative study and the data will be collected from a sample of students.

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2. The second part of the report is a statement of the research objectives.

3. The third part of the report is a statement of the research hypotheses.

4. The fourth part of the report is a statement of the research methodology.

5. The fifth part of the report is a statement of the research results.

6. The sixth part of the report is a statement of the research conclusions.

7. The seventh part of the report is a statement of the research limitations.

8. The eighth part of the report is a statement of the research recommendations.

9. The ninth part of the report is a statement of the research references.

10. The tenth part of the report is a statement of the research appendix.

11. The eleventh part of the report is a statement of the research bibliography.

12. The twelfth part of the report is a statement of the research index.

13. The thirteenth part of the report is a statement of the research summary.

14. The fourteenth part of the report is a statement of the research conclusion.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, February 1, 1988

No. 5

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, February 1, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

#### ABSENT:

Mr. Depasquale

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presents

No. 126 WHEREAS, The Community Housing Partnership Act, a program through which the Federal Government would provide matching funds, in a three-to-one ration to locally based nonprofit housing groups, is expected to be introduced in the United States House of Representatives this week by Congressman Joseph P. Kennedy, 2d; and

WHEREAS, approximately 1500 low income residents of the City of Pittsburgh are in need of housing and appear on the waiting list of the Pittsburgh Housing Authority; and

WHEREAS, in Region 3 of the Department of Housing and Urban Development, which includes Pennsylvania, West Virginia, Maryland, Delaware, Virginia and the District of Columbia, 2000 public housing units are either being demolished or are scheduled for removal; and

WHEREAS, federal spending on public housing has been decreased from \$25 billion in 1981 to less than \$9 billion this year; and

WHEREAS, community based non profit housing developers, in cities across the country with financial support from local governments, private foundations, financial institutions and religious organizations have attempted to construct and rehabilitate low income

housing, and to rebuild urban neighborhoods; and

WHEREAS, local governments, churches and foundations lack the resources to supply affordable housing on a national scale; and

WHEREAS, matching fund programs have proven to both help communities who help themselves, and be less a strain on federal spending.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports The Community Housing Partnership Act and urges Pittsburgh area Members of Congress to support this program; and

BE IT FURTHER RESOLVED, that Congressman Kennedy receive a copy of this Resolution along with the Speaker of the House to draw their attention to this Council's support for this program.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like to introduce Todd May from the Sister City Campaign and I'd like to move the following resolution.

Mr. Ferlo presents

No. 127 WHEREAS, in March, 1987, Mayor Caliguiri established the town of San Isidro in Nicaragua as an official Sister City; and

WHEREAS, in accordance with such establishment, numerous citizens of Pittsburgh have made trips of goodwill to San Isidro; and

WHEREAS, on January 9, 1988, a cargo of medical, school and clothing supplies was sent by the citizens of Pittsburgh to those in San Isidro; and

WHEREAS, in spite of Pittsburgh's efforts toward the Nicaraguan people, the current national Administration supports a war against Nicaragua; and

WHEREAS, the official Sister City program has supported farm cooperatives, health clinics and school facilities, and the rebel forces supported by the Administration have destroyed the clinics, cooperatives and school facilities, and have committed acts of violence against the civilian population; and

WHEREAS, citizens from Pittsburgh and throughout Western Pennsylvania have been drawn into this conflict by participating in National Guard training exercises in Honduras; and

WHEREAS, while millions of dollars of federal money are being spent to sustain the military conflict in Nicaragua, many of Pittsburgh's industries and social services are in decline; and

WHEREAS, mayors from 40 major cities expresses their full support of the Central American Peace Plan which was signed by the Presidents of 5 Central American Republics on August 7, 1987, and called for an end to U.S. support of both overt and covert aid to the Contras.

NOW, THEREFORE, BE IT RESOLVED, that the Pittsburgh City Council finds that further aid to the rebel forces is counter to the local initiatives for peace supported by this City and therefore recommends that the U.S. Congress not support any further aid to the Rebels.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. Woods** seconded the motion.

**Michelle Madoff:**

Discussion. Madam President and members of Council, I think we have enough trouble trying to decide whether we're going to fund or charge for City pools and what we're going to do about our wage tax. It's the same reason that I abstained the other day. I think there are certain things that we need not put our noses into; we all have our private viewpoints. I am not going to say that I don't support your position as an individual, but I think it's inappropriate to bring it before this Council; I've said that in a number of issues. This has become a loose, I don't even know what the word would be, arena, for people pushing their personal beliefs. We could spend our lives doing that instead of dealing with the public's business. Now, you might disagree and feel this is the public's business, but I really believe the Congress and the Senate are dealing with that; we elect those people to represent us and I just feel it's an inappropriate motion for us. That's my point of view.

**The Chair:**

Along those same lines, I have an opinion from our Solicitor saying that any hearings, he referred to hearings and I think it would apply to this, that we have no jurisdiction over and it should not be brought before us. However I'll entertain this motion.

**Michelle Madoff:**

I abstain for reasons stated.

**WHICH MOTION PREVAILED.**

**Mr. Ferlo:**

Thank you, members of Council. I would just like, if you would permit me, to have Mr. May make a brief statement to you today. Thank you.

**Mr. May:**

I just want to thank City Council and, to address what I think is a relevant concern of Ms. Madoff's in this matter --

**Michelle Madoff:**

You may call me Michelle.

**Mr. May:**

Okay, thanks, Michelle. The reason that we came before City Council has to do with, first, the obvious effects upon the City of Pittsburgh about where federal monies go, but more importantly because the Iran Contra affair has brought a constitutional crisis and a failure of our federal government. And when those things happen, when the Congress is no longer getting information about the kinds of things that it needs to make decisions, when the President is no longer sharing with the American people what's going on, what we need to do as state and local governments, and as individual citizens, is to say this is where the people stand and this is what the people need to know. And the reason we have come locally and we are going statewide is, in order to try to re-establish from the bottom, the kind of democracy which should be coming from the top down. I want to extend my thanks; I think this will be a step in that direction.

**The Chair:**

Thank you.

**Mr. Lyons presents**

No. 128 WHEREAS, the month of February has been set aside for the observance of Black History in the United States, and

WHEREAS, the Afro-Americans constitute more than 25% of the population of this City, and

WHEREAS, it would be fitting that the City of Pittsburgh would observe this Black History Month.

NOW THEREFORE,

BE IT RESOLVED, that the Pittsburgh City Council recommend to the City of Pittsburgh that Black History will be observed during the month of February.

**Mr. Lyons** moved to adopt the resolution.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Coyne presented**

No. 97 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Charles Wikenhauser to attend the AAZPA Conference and Midyear Board and Accreditation Meeting, March 5-8, 1988, Monterey, California, at a cost not to exceed \$950.00, payable from Code Account No. 1852, Miscellaneous Services.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Ferlo presented**

No. 98 Resolution transferring the aggregate amount of \$100,000.00 from various Code Accounts to Code Account

1807 Repairs, E-15 Swimming Pools, in the Department of Parks and Recreation. —(SPONSORED BY MR. FERLO)

Also,

No. 99 Resolution authorizing and directing the City Controller to conduct a performance audit of the City of Pittsburgh Housing Authority pursuant to Article IV Section 404 of the Home Rule Charter. —(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Finance.

Also,

No. 100 Resolution amending Section 1 of Resolution No. 1215, approved November 27, 1982, entitled: "Providing for an Agreement or Agreements with the Parking Authority, the Stadium Authority, the Urban Redevelopment Authority and other City of Pittsburgh governmental agencies for the purchase of bituminous materials; and providing for the creation of a Trust Fund for receipt and payment of such materials including expenditure of funds from said Trust Fund for expenses incurred in operation of the Asphalt Plant," by including other municipalities and governmental agencies outside the City. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Works.

Also,

No. 101 Resolution Repealing Resolution No. 987, approved December 4, 1987, entitled: "Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs," approved

December 4, 1987. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Lyons presented**

No. 102 Resolution providing for an Agreement or Agreements with Consultant(s) to provide equipment software and aerial photographic products for a Land Records Management System, and obtaining programming and system management services related thereto, and computerizing City records and base maps, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account CP 88-05.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 103 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of \$1,376.34 to return costs disallowed by the City and collected from its JTPA subrecipients in conjunction with the 1987 subrecipient audit, payable from the JTPA-2 Trust Fund, federal funds.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 104 Resolution providing for the issuance of a \$1,467.50 warrant in favor of William B. Dixon in settlement of claim for property damage due to a backup of sewage during August 1987, payable from Code Account No. 46, Judgments.

Also,

No. 105 Resolution providing for the issuance of a \$1,800.81 warrant in favor of Duquesne Light Company in settlement of claim for property damage to a utility pole at 5701 Kentucky Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 106 Resolution providing for the issuance of a warrant to Howard L. Burkholder, c/o John M. Kasaback, Esquire, Suite 140, Fort Pitt Commons Building, Pittsburgh, PA 15219, in the amount of \$10,000.00 in full settlement of a claim for personal injury arising from an accident which occurred when Plaintiff's motorcycle struck a barrier at or near the intersection of Ridge & Reedsdale Street in the City of Pittsburgh on July 3, 1982, causing injuries to the plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 107 Communication from Dante Pellegrini, City Solicitor, Department of Law, requesting authorization for himself to attend a conference at Duke University, Durham, North Carolina, February 18-19, 1988, at a cost not to exceed \$200.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 108 Communication from Dante Pellegrini, City Solicitor, Department of Law, requesting authorization for himself to attend the National Institute of Municipal Law Officers Seminar in Washington, D.C., March 11-16, 1988, at a cost not to exceed \$1,028.00, payable from Code Account No. 1075, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Also,

No. 109 Communication from Tom Flaherty, City Controller, requesting authorization for Raymond Johnson to attend the Annual Conference of the Government Finance Officers Association, Atlanta, Georgia, April 30 - May 4, 1988, at a cost not to exceed \$1,450.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 110 Resolution providing for an Agreement or Agreements effective January 1, 1988 with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Public Safety, Bureau of Police, at a cost not to exceed \$3,000.00 for the period January 1, 1988 through December 31, 1988, chargeable to and payable from the Department of Public Safety, Bureau of Police, Code Account 1447-1.

Also,

No. 111 Resolution providing for an Agreement or Agreements with the

Salvation Army for professional services in connection with the Public Inebriate Program at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 112 Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety, which shall include, but shall not be limited to, written evaluations, testing, counseling, therapy consultations, training and criminal profiles, at a cost not to exceed \$48,000.00, chargeable to and payable from the Department of Public Safety, Code Account 1401.

Also,

No. 113 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Robert McCaughan, Thomas Huerbin, Emergency Medical Services, Tony Laush and Harold Denson, Bureau of Police to attend a seminar entitled, "Ice Rescue Instructor Training Seminar," Bellefonte, PA, January 30-31, 1988, at a cost not to exceed \$135.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 114 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Diane Back, Cathy James, Elizabeth Pamplin, Delphia Blackburn and Barbara Douglas, clerical personnel in the Department of Public Safety, Bureau of Building Inspection to attend one-day workshop on Improving Public Contact Skills at the Hyatt Pittsburgh, Chatham



Center, Pittsburgh, PA, February 17, 1988, at a cost not to exceed \$200.00, payable from Code Account No. 1476, Miscellaneous Services.

Also,

No. 115 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Charles Dickinson, Assistant Chief, Suppression Division, Bureau of Fire, Department of Public Safety, to travel to Emmitsburg, Maryland, February 7-10, 1988, February 21 - March 4, 1988, to serve on a review board for the N.F.A. and to also serve as an adjunct instructor at the Academy, at no cost to the City of Pittsburgh. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 116 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Joseph Wasilewski, Bureau of Fire, Department of Public Safety to attend a course entitled, "Command and Control of Major Fire Department Operations" at the National Fire Academy in Emmitsburg, Maryland, February 22 - March 4, 1988, at a cost not to exceed \$183.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle.

Also,

No. 117 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Frank Henry, Bureau of Fire, Department of Public Safety, to attend a course entitled, "Interpersonal Dynamics" at the National Fire Academy in Emmitsburg, Maryland, February 28, 1988 - March 11, 1988, at a cost not to exceed \$232.00, payable from the PSTA

Code Account.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 118 An Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 989, Parking and Off-Street Loading, by adding Section 989.11, PARKING IN DRIVEWAYS.

—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 119 Resolution vacating Mary Street between South 24th Street and South 25th Street, reserving the 4-inch and 12-inch waterlines therein in the 16th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

**The Chair presented**

No. 120 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlement claims not exceeding \$750.00, for the Fourth Quarter of 1987, payable from Code

Account No. 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of \$750.00, for the Fourth Quarter of 1987, payable from Code Account No. 46, Judgments.

Also,

No. 121 Communication from Norbert McDermott, Jr., Comptroller, Allegheny County Sanitary Authority, submitting a list of personnel as of December 31, 1987.

Which were read, received and filed.

#### REPORTS OF COMMITTEES

Mr. Pollock presented

Bill No. 122

Report of the Committee on Finance for January 27, 1988 transmitting sundry resolutions two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 46

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Triangle Roofing, Inc. in the amount of \$3,500.00 in payment of Emergency Repairs to the Aviary Roof; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 50

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of interest on certain Delinquent Earned Income and Home Rule Taxes."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

Also,

Bill No. 51

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Evan Pattak in the amount of \$490.00 for consulting services rendered to Mark H. Pollock without previous authority of law, and providing for the payment of the cost thereof." —  
(SPONSORED BY MR. POLLOCK)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 52

A Resolution entitled, "Resolution designating banks and lending institutions to act as depositories for the year 1988 in accordance with the Pittsburgh Code,

Title Two - Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 53

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1094 of December 31, 1987, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by decreasing ULO allocation to the YMCA of Pittsburgh (Garfield) from \$12,000.00 to \$10,000.00, and adding a new line item, Bloomfield Garfield Corporation to be funded at \$2,000.00."  
—(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 54

A Resolution entitled, "Resolution Repealing Resolution No. 38, Item C, approved February 2, 1987, which authorized the sale of property in the 11th Ward, being a 2-1/2 Story, Brick house and Frame Garage, located at 5536 Baywood Street, designated as Block 83-B, Lot 96, to Michael G. Richer and Mary Ann Keller, his wife, for the sum of \$7,500.00."

Which was read.

Also,

Bill No. 55

A Resolution entitled, "Resolution Repealing Resolutions, approved on

various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 56

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 61

A Resolution entitled, "Resolution providing for authorization to advertise for, award and enter into contracts or use existing contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies in conjunction with the regulation and utilization of the City of Pittsburgh's Cable Communications System at a cost not to exceed \$125,000.00."

Which was read.

**Mr. Ferlo:**

Madam President, on Bill No. 61, I'd like to go on record in opposition to this bill in relation to the appropriations for Cable Communications. Our basic principle in that in this bill there is no specific determination from the Director as to what this money would be used for. And if my understanding of our powers regarding this warrant --

Nowhere else in any City department do we allow purchases like this. In other words, a catch-all warrant being issued for the purchase of any and all materials.

Brother Emenecker did indicate in part of the Finance Committee that there were several types of computer equipment, all equipment that he would like to purchase, but it was not clear. There may be other things purchased under this nebulous warrant approved here today.

So, I want to go on record in opposition to this on the basic principle that we allow no other director to submit a bill like this without an exact delineation of the materials to be purchased and I just want to make that clear as to why I'm voting no on that bill.

**The Chair:**

May I answer you, Mr. Ferlo? These are the terms of the franchise. The terms of our franchise is that the Cable Communications Department is overlooked by the Advisory Committee, we have a Cable Advisory Committee made up, and that it is a trust fund and that under the terms of the franchise he purchases all of his equipment and we have nothing to say about it. Those are the terms of the franchise.

**Mr. Ferlo:**

Why are we approving this expenditure then?

**The Chair:**

Because it's just a matter of him telling us what he's planning to do.

**Mr. Ferlo:**

But we're voting on a piece of legislation; I assume, then, that we have

to, by authority vested in us, that we have some authority to pass this legislation relative to his purchasing. Otherwise, why would this bill be before this legislative body?

**The Chair:**

In order for us to appropriate the money out of the budget. The money is in the budget at the moment and that's why we're taking it out. But actually, under the franchise, we have nothing to say about this money because it's in a trust fund.

**Mr. Ferlo:**

I don't know if it's appropriate. I guess I would have to ask for better understanding for a legal opinion from the Solicitor regarding what you've just stated.

**Parliamentarian:**

Madam President, I'm not sure that's a matter of procedure. We would certainly be glad to entertain a request for an opinion.

**Mr. Ferlo:**

I'd like to make a motion to recommit this for some type of a written legal interpretation of what Madam President just outlined.

**Michelle Madoff:**

I think the issue, correct me if I'm wrong, Madam President, that there is an oversight committee. The Charter provides that the Cable Communications can buy anything it wants. All they're getting here is permission to withdraw the funds. What they were doing is being kind enough to specifically tell us exactly what they were going to buy. Now, if that is not correct, and that's

why we need our own legal counsel, folks, it may be that it cannot fly without having defined and clarified exactly what he's buying, and I think that's what you're asking. Why is he buying it, what's it for, and I think he told us that but it's not in the body of the bill.

Are you saying that from here on in you'd like to have that in the body of the bill?

**Mr. Ferlo:**

Yes.

**Michelle Madoff:**

I think you can just make that as a request and I don't know that we want to hold it up --

**Mr. Ferlo:**

I would like to hold it up.

**Michelle Madoff:**

You may respond but I have found Brother Emenecker to be very honorable, straight forward, gives us more information than we even ask for, and I would certainly not like to hold the bill up so we can get on with whatever he needs.

But I think you have a valid point, Mr. Ferlo, and Mr. Perry will tell you, I've made his job a lot easier by having all the department heads be very specific in defining what it is they want, what for, and why they're doing it. Whether they're buying property, whether it's a sideyard, whether it's buildable, etc., so that we don't have to hold up this Council to get that information. I think it's fair and reasonable for you to ask in the future, that anytime anybody is asking for anything, they write it in the

bill. And Mr. Perry will take note, I think it is in the letters and he could pick up on this final draft what it is that we are purchasing, but I think we were told. You do have that information, am I correct, Mr. Perry?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

And it could be on the bill.

So, I think it is a matter of procedure as opposed to being an obstructionist and holding up Brother Richard at this point. I think we ought to go forward but in the future have all the items delineated and very clearly stated and I think Mr. Perry will be more than willing to cooperate; he always has been.

**Mr. Coyne:**

Madam President, just one question for clarification. The Cable Advisory Board does have oversight over what is purchased. Is that correct?

**The Chair:**

Yes, somewhat. It's all discussed at the Advisory Board meetings. That's the purpose. You see, this isn't tax dollars; this is fees paid into it, not tax dollars.

**Mr. Coyne:**

Thank you, Madam President.

**Mr. Ferloc:**

With all due respect to the volunteer members of the Advisory Board, I know they put in a lot of hours and I don't question their wisdom, but I'm

still confused on the issue before us. As a new member of Council, I'm concerned about this particular bill. I don't know what the procedure is; you've stated some language relative to what the franchise calls for in terms of our role on Council, but this is a bill that is before this legislative body and I do point out that again no other director is allowed this kind of carte blanche purchasing without and indication clearly as to what the items are other than letting out contracts for professional service contracts.

I did raise before my criticism in the past of major purchases of art pieces for one's office to the tune of \$14,000. There's no hint on my part of any impropriety on the part of this director in relation to this catch-all purchasing that's before us. I'm not even raising that. And I'm not trying to be an obstructionist; I just would like, one, as a new member of Council, a clear understanding on this process and what our specific duties are; and two, I would like equal to all other directors specific language as to what is being purchased.

In closing, it is true that these are franchised fees but I think we have to treat those fees legitimately and in the same light and with the same scrutiny that we would our public tax dollars. So, I would make a motion to recommit this.

**Michelle Madoff:**

I would like to suggest to my colleague, because one of the problems, and I was new when I got here and nobody helped me — I want to tell you, a lot of people here are new and getting a lot of help; I volunteered to help, I gave you books with numbers. Nobody helped me; I sat like an idiot. I would suggest that you make a motion and get four other members to support you, that you get a legal opinion as to how the cable

dollars function, do they need to give you a list, do they need to itemize, can they buy on their own, and in the future you will get that. But I would hesitate to hold this bill up and I think you're going to have to trust those of us who have been here longer that we're not out to circumvent the process nor to circumvent you, because once this passes, you do get your opinion, you'll have that for the future.

**The Chair:**

We don't need a legal opinion; I'll give you a copy of the franchise and that will then explain it all.

**Michelle Madoff:**

If my colleague wants a legal opinion so that he doesn't fall into the trap that Mr. Wagner unfortunately fell into through no fault of his own, if he makes it as a motion that he'd like to get a legal opinion, I will second it. That would be my vote; three more votes and he would get his opinion because we don't have our own legal counsel yet, and we can proceed.

**Mr. Ferlo:**

Madam President, I am making the motion to recommit in hopes that this legal opinion will be forthcoming.

**Mr. Wagner** seconded the motion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Ferlo

Mr. Wagner

AYES 2

NOES 6

**VOTING NO:**

Mr. Coyne

Mr. Pollock

Mr. Lyons

Mr. Woods

Michelle Madoff

Mrs. Masloff  
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Michelle Madoff:**

Point of order. Do you wish to introduce a motion to get a legal opinion, or you don't need it? You don't think it's important for the future?

**The Chair:**

He could ask for a legal opinion. All he has to do is write to the Law Department and ask for a legal opinion. If he doesn't get it, then we'll follow through on that.

**Michelle Madoff:**

Madam Chairman, the Rules of Council say that you must have five votes to get an opinion. Since it exists that way, I think that if Mr. Ferlo would like to get a legal opinion, he might want to make that as a motion.

**Mr. Ferlo:**

Having lost the motion to recommit, it's clear that Councilmembers presume or assume that this is the powers and prerogatives of the Advisory Board and of the Director. And if Council has no desire to scrutinize this, then if I can't get five votes it's a

moot point and I see no reason to seek a legal opinion.

**Michelle Madoff:**

Madam President, this is very important. This issue is going to come up again. Mr. Ferlo may have lost today but if it comes up again it would be very nice if it was clarified for him or for those members who may have some questions because sometimes it turns out that we are wrong and the Councilperson raising the issue is right. In the case of Mr. Wagner, Mr. Wagner saw an error on the appointments to Alcosan long before any of us were aware of it. He really zeroed in on an issue.

I think it would not hurt to get a legal opinion for the next time. If you feel strongly enough to want to send it back to Committee, I would think you would like to get it clarified so that in the future we won't go through this again.

**The Chair:**

Mr. Ferlo, do you want to make a motion for a legal opinion and, specifically, what do you want in the legal opinion?

**Mr. Ferlo:**

I make a motion to ask the Council President to seek out a legal opinion from the Solicitor regarding the relationship of the City Cable to this Council as a legislative body as it relates to City purchasing.

**The Chair:**

Put that in writing and I'll submit it to the Law Department.

Is there a second?

**Michelle Madoff** seconded the motion.

**Mr. Wagner:**

First of all, I'm not sure what the vote was but I want —

**The Chair:**

The vote is to refer this to the Legal Department for an opinion as to Mr. Ferlo's terms for clarification, and he will then give us that.

**Mr. Lyons:**

Madam President, allow me to ask you this; may I? If, as you have aforesaid, isn't it spelled out in the Charter and in the franchise between Council of this City and Cable? So, why would we need a legal opinion?

**The Chair:**

Because he wants one.

**Mr. Lyons:**

Couldn't he read that?

**The Chair:**

Of course he can but he says he wants an opinion we'll have the roll call vote to see if he has five votes to get it.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:



Ayes:

Mr. Coyne            Michelle Madoff  
Mr. Ferlo

AYES 3            NOES 5

VOTING NO:

Mr. Lyons           Mr. Woods  
Mr. Pollock        Mrs. Masloff  
Mr. Wagner        (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Wagner:**

Madam President, I just have one comment on the bill itself. Occasionally, I watch the Cable Advisory Committee meetings which occur once a month here in this Council.

**The Chair:**

The first Thursday of every month.

**Mr. Wagner:**

It's the second Tuesday of every month, I believe.

As I am aware, the purpose of the Cable Advisory Committee is to advise this Council as to what should be going on in the Bureau of Cable Communications. I think Councilman Ferlo brings up one point and, to my knowledge, I don't think I've seen at any Cable Advisory meetings where they review these types of purchases of equipment. So, consequently, I believe that at least there should be some question answered with the Cable Advisory Committee as to what function they should be performing in terms of advising this Council whether or not we should be moving forward on this type of

legislation and what type of information should accompany it.

In addition, should they be giving their affirmative vote to similar types of bills or similar types of resolutions in front of them prior to us voting on it.

I believe Mr. Ferlo is bringing up a valid point at least in regard to our function as a Council in relation to them as an Advisory Committee of which we have placed them on that Advisory Committee. I think at the very least, it would be interesting to hear from the Cable Advisory Committee as to what their function should be.

**The Chair:**

I'm sure they'll be glad to answer your questions.

**Mr. Ferlo:**

I think Mr. Lyons has made a valuable suggestion to me and that is to review the franchise agreement. And Mr. Wagner's suggestion that I review the proceedings of the Advisory Committee, which I did on one occasion. I had no sense that the Advisory Committee had any say so or scrutiny over purchasing and that's why I raised the concern that I did. But I will take Mr. Lyons' suggestion and review the agreement and if I continue to have a concern, and I probably will, I will find another forum at a future date to raise this issue.

Also,

Bill No. 22

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees and

providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo**

On Bill No. 22, twice now I voted against the appropriation of spending \$65,600 for consultation for a consulting agreement in Personnel and Civil Service for various training. But the Director did forward me a copy of information regarding the various training programs that this large amount of money will pay for.

On a related matter today, I do have before the body in the future, a bill on the reduction of travel because I'm concerned about the amount of money for out of town travel. I think it's clear that travel is needed to encourage the professional enhancement of our employees throughout the City but I'm going to switch my vote today and support the appropriation of this money because I also have a bill, as Council is aware, to reduce by \$100,000 the out of town travel for City employees. In exchange, I will vote for this \$65,600 for local training consultants to come in and provide training for various employees. I'll have more to say on the issue of the out of town travel.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

**AYES 8**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 75**

A Resolution entitled, "Resolution amending Resolution No. 1092 of 1987, approved December 31, 1987, effective January 1, 1988, entitled, 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1988,' by decreasing Code Account 57, Social Security Fund by \$40,000.00."

—(SPONSORED BY MICHELLE MADOFF)  
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

**Bill No. 76**

A Resolution entitled, "Resolution amending a portion of Resolution No. 1093, approved December 31, 1987, entitled, 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels designated for positions,' by adding Legal Advisor in the Office of the City Clerk."

—(SPONSORED BY MICHELLE MADOFF) (AS AMENDED BY

SUBSTITUTE)

Which was read.

**Michelle Madoff:**

Madam President, on Bills 75 and 76 which is amending the budget for Council to have its own legal counsel which I believe will be cost effective in the long run, saving the City lots of money because we may be able to do things more proficiently having our own counsel that would not entail litigation, get us into trouble, litigation is very costly, and perhaps make us more professional.

It has come to my attention that one of the ways we might proceed, as you know, my preference would have been to have a consultant so that we didn't have to pick up the benefit package that goes with all employees. But the only way I could get legal counsel was to go along with having a full-time person.

It was pointed out by the opponents of the bill that our Law Department has, I believe, 17 attorneys. And since we take up a lot of their time in doing work and asking them to prepare legislation, it sometimes takes a week or two and sometimes it doesn't take place at all, which we'll talk about later, when Mr. Wagner asked for an opinion and didn't have it as an official opinion because he didn't have five concurring votes of this Council.

Someone suggested, and I would support it, that we ask the Mayor in the budget to amend the Law Department to 16 attorneys and transfer one of the attorneys, the dollars certainly, or perhaps one of the attorneys that would be acceptable to all members of Council, because I don't think this is an adversarial kind of procedure, so that

obviously over the year we'd probably keep one attorney busy anyway. And if we could have one of the attorneys assigned to us full-time to work for this Council, I believe that that would save us some money, give us the help we need, and be available when we vote. I have been at this Council when, as I've said before, aye means nay and nay means aye. At least if we had someone here to talk to us, to work with us, and say, "If you vote this way, this is what it's going to mean. If you vote to override President Masloff's position to get a legal opinion before you appoint a President Pro tem, that President will be an illegal appointment and any rulings he might make would be illegal." The process would be to go through the procedure, amend the rules of Council; you get what you want anyway, if you're a majority, but do it in a professional, businesslike manner. I think that would be very productive for us.

So, what I'm suggesting is that we look into the possibility of the President of our Council talking to the Mayor about assigning one of their attorneys, certainly the dollars, the allocation of dollars, to this Council so that we don't have to go out with another \$40,000. That might not take place until the end of the year when we get into budget hearings, lowering the number of attorneys by one; I think you lose one by attrition anyway, and the dollars could be transferred to us. Therefore, I would still stay with the present arrangement because I don't think, for the moment, there's much we can do, but in the same vein that we have bills before us that can be amended.

There's nothing wrong with the President of this Council, I'll be very clear, speaking to the Mayor and the Administration and the Law Department about having the dollars that pay one of the attorneys in that department

transferred to Council and the prerogative of who we hire would be our prerogative. I'm not sure that of the 17 attorneys working there there wouldn't be one that would be acceptable to this body, and then we could make another amendment to dilute the \$40,000 they're appropriating and not need that money; the money would be transferred from the existing budget. The Administration would have 16 attorneys instead of 17; we'd inherit the dollars and perhaps one attorney of the 17 that would be acceptable to us.

**The Chair:**

I could support that. Do you want to delete that from this bill, \$40,000, or do you want to leave it in the budget?

**Michelle Madoff:**

The bills has already passed; there are five votes to have our own legal counsel and I'll take that as opposed to not having any. As I said, my first choice would be to have legal counsel be on a consulting basis. But since we would not have any legal counsel, we'd only have four votes, I'm suggesting we continue as we are, just where the vote passed the other day, but immediately moving to meet with the Mayor to see if, indeed, we can have one of those attorneys assigned to us before we go out on a search and have their credentials reviewed by this body of those that the Mayor would be willing to transfer to us to see if that's a viable alternative. Failing that, we would go with the \$40,000 this year because we've voted on it already, their five votes hold, but sometime in the immediate future, if the Mayor was willing to do that, to accept one of the attorneys or, at budget time to eliminate one of the 17 attorneys that the Mayor has and have the Mayor only have 16 attorneys because we use up the time of one full-time attorney anyway.

So, I'm willing to leave it ride as it is for the moment, but we ought to look into, as soon as possible, before we hire, into the possibility of our accepting one of the attorneys. I really believe that somebody coming to work for us, it's not going to be an adversarial role, it's not necessarily going to be beholden to the Administration, even though they were hired there, because they would have to be hired by us next year and that person would have to be acceptable to us anyway. And if they weren't they would not have a job. I think that would be a way of having our cake and eating it too and not adding on \$40,000 to the City budget.

**The Chair:**

I could support that and I'll talk to the Mayor about it.

**Mr. Ferlo:**

I just want to be clear as to what Councilwoman Madoff is saying. She's saying, go ahead with the bill and she has not made any amendment, but after it gets approved, at some point, that the Council President or Michelle or others will work with the Administration. But I think very clearly the Mayor and the Solicitor need their 17 attorneys and maybe it would be appropriate at the end of the year, during the budget dialogue with the Solicitor, if we discussed the utilization of that person power. But I don't see it directly related to the value and the importance of having our own independent full-time legal advisor which we debated heavily.

So, I hope I'm clear in understanding Michelle, that she is only offering a suggestion after this resolution passes to the Council President.

**Mr. Lyons:**

Madam President, we have sat in this Council and screamed and very dissatisfied with the high tax problems we have and more especially with the wage tax. Personally, I'd like to see the action on this matter deferred until you go to the Mayor. Councilwoman Madoff has just said by attrition that the Law Department is going to lose one. But I would say, why can't we go to the Mayor now and see if he will assign now one attorney for this Council. This would abolish an increase of \$40,000 to our budget or tamper with our social security, and I certainly would like to see the action on this deferred until the Mayor can be reached and asked for him to assign us out of his suite of offices in the Law Department, one attorney.

**The Chair:**

That's my understanding; that's what you're adding on.

**Mr. Coyne:**

Madam President, I have to disagree with the basic soundness of these ideas that have been presented, not that I want to view this as an adversarial role between Council and the Mayor's Office either. But when I voted on Wednesday, it was for an independent counsel, not one that was chosen by the Mayor's Office and one who was sent down here because that's who the Mayor feels, and we say we'll agree, will do the best job. I voted on Wednesday for an independent counsel, I voted for that \$40,000 to come from the social security fund, and I intend to stick with that original position. Thank you.

**Michelle Madoff:**

Madam President, I concur with everything that has been said today.

What I'm saying, basically, is that we're all right. Yes, we want an independent counsel, but I think also we would like to not spend the \$40,000 and take the money out of the allocation, at least I would, of the monies assigned to the Administration. And provided that person would be a choice, not one person the Mayor says, "Okay, this person is expendable, I control him, so you can have this person." But if there were four or five people that we could pick, they might be people who would have applied for the job anyway and they may be acceptable to the majority of this Council. But assuming that they are not, let's go with the assumption that it's not acceptable, we stay with the price of the bill as it is, the President of Council speaks to the Administration and at the end of the year since generally, I don't know for a fact, Mr. Lyons, that somebody will be leaving one of the 17 jobs, but generally in the nature of the business there generally, quite frequently, is an attrition where somebody leaves for whatever reason. And instead of the Mayor filling that with another person, those dollars would be transferred to the City Council budget for our own legal counsel. In other words, we don't change the whole bottom line of the budget, it remains the same, but the dollars are transferred to us.

And I personally would have no trouble accepting one of the -- Maybe the Mayor has two or three people that he absolutely would not sacrifice, would not give up, but let's say if 14 of them had acceptable resumes to us and were willing to serve Council, we might pick one of those 14. I would not have a problem with that. I don't think it's a matter of being adversarial; I think we need someone to help us in this Council to be more professional. And I think the issue of being independent is a position I've had from day one when I proposed it,

but I don't think someone coming over to work for us will not be an independent. I could think of a member of our budget staff who used to be very tight with the Administration and now is totally committed to Council. I think if they come to work for us they will be committed to us.

So, in essence, I'm saying, don't change anything now; leave it as it is. But, in the immediate future, see what we can do about not having to expend that \$40,000 or replacing that \$40,000 by decreasing the Mayor's allocation of attorneys because he won't need 17. We use, through the service of this Council the numbers of letters and requests that go out from Mr. Perry every year to the Law Department, we use the services of an attorney. If you add up all the hours, we use the hours which would pay for an attorney.

So, I would suggest that at the worst possible scenario, is that at budget time we lower the 17 attorneys in the Mayor's Office to 16 so that we don't affect the budget and we have one.

**The Chair:**

I agree with you, Michelle.

**Mr. Woods:**

I'm a little confused. If Ms. Madoff states that we are adequately served by the present system, and this is what I think I'm hearing you say, and we use one attorney for a year and he does all of our writings and all our bills and we adequately get one year's service out of one attorney, then why not just go with the same system? I mean, I voted for this and I'm sitting here willing to vote for it again today. But, if we're going to say, well, in the future, we'll give the Mayor another shot, we'll take one of his people because we're getting a year's

worth of work out of the Law Department now, and if you readily admit that, then why was this bill sponsored that we need our own attorney. It doesn't make sense to me. Either we are not adequately served or we are. And if we are, then this bill is not needed and we should just go with the system that's already in place. But, like I said, I am here today; I am willing to vote for what is in front of us. I voted for it Wednesday and I am voting for it again today, if we leave it the same. But to say, let's vote for this and then we'll see, if there's five people on Council that want an attorney working for Council and all five vote for us today, then a month from now when we hire somebody they're going to be here, no matter what the Mayor says.

**The Chair:**

Mr. Woods, we'll never get anybody in a month or two months or three months. And I believe, as Ms. Madoff does, that our best bet is to have somebody assigned permanently to us from the Law Department. I don't think we can go any better route and we'll save \$40,000.

**Mr. Woods:**

Let me please answer that. If they are assigned to us, therefore, that \$40,000 plus all their other fringe benefits comes out of Council's budget. So, it doesn't really make any difference. It's our budget.

**Mr. Wagner:**

Madam President and members of Council, in regard to these two bills, Bills No. 75 and 76, as it relates to a solicitor, first of all, I'd like my comments from last week's Committee Meeting brought forward for the Record.

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(MR. WAGNER'S COMMENTS ON BILLS NO. 75 & 76, WEDNESDAY, 1-27-88)

Mr. Wagner:

Mr. Chairman, members of Council, with regard to this bill, or bills, as suggested, I think there are two issues in front of us; whether or not we want specialized people working for Council, and if so, do we want to hire them as a consultant or a full time person?

The bills as amended relates specifically to a legal consultant. I am sure everyone is aware that the Charter gives this Council the right to hire a solicitor. The people that put the Charter together back 12 years ago saw that there could be a need for this Council to have its own specialized legal assistance, and the residents of the City of Pittsburgh, in approving the Charter through referendum, agreed. I also agree, and I have agreed since the first day I have been on Council, I believe that we need our own full time legal counsel, our own lawyer, working for us for numerous reasons. I don't think we would get into embarrassing situations on resolutions in front of this Council if we had our own legal advisor to advise whether or not that resolution is proper and should be presented, prior to it being presented. And I think that is critical.

I think this Council could save a lot of time, not only with the members of Council, but the Clerk's staff, the directors that come to these meetings, if we had the appropriate legal counsel to recommend formally and officially to us whether or not a bill or simply a resolution, none-binding, should be presented to this Council.

So I agree on the need for a legal solicitor. The other two positions I don't agree with, for obvious reasons, and I have stated them in the past.

As it relates to the second part of the issue, a consultant or a full time person, many members of this Council, including myself and the maker of the bill, have criticized repeatedly directors coming in front of this Council for hiring consultants. And I personally think that the proper way to go is to hire a full time person. Why is that? Well, No. 1, if we hire a full time person, we will probably -- well, obviously, we definitely are going to hire someone that is a City resident. Many times consultants are hired, they are not even City residents.

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In addition to that, if we have our own full time person rather than a consultant, that person is required to be here between the hours of 8:30 and 4:30, and I would want it to be that way, rather than having to call a legal firm and find out that that lawyer or a group of lawyers are busy in trial addressing another client on a particular day. I would prefer to have that person working here in the City Clerk's office so that each one, each member of Council, could consult with that individual at least 40 hours a week minimum.

So in summary, I simply want to say that I agree for the need for legal counsel for this Council, and I would like to see the person not a consultant, but a full time person.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL)



**Mr. Wagner:**

Secondly, since last week, I suspect all Councilmembers received a letter from a Mr. Golmitz suggesting that we do hire an attorney and, as part of his suggestion was, to reduce the number in the Solicitor's Office by one. But not necessarily, he is not suggesting, and I think it's a valid suggestion, not to hire someone from the Solicitor's Office. In other words, if there is attrition there in the future, the possibility exists that there would be no additional money spent for Council to have one solicitor and the Administration to have one less. I would be against, though, us taking one of the Administration's attorneys and then having that person work for Council because I think it's very important that Council is independent in that sense and if Council is not independent in that sense, we shouldn't proceed with it. Or, at least I will not support proceeding with it.

In reference to the Charter in Section 310, Powers of Council, Council shall have the following additional powers. The first item out of nine items listed as additional powers of Council is "to employ or retain its own staff and consultants, including a City Clerk and an attorney qualified to practice law before the Supreme Court of Pennsylvania, who may act as a legal advisor to Council and may represent Council as a body in legal proceedings. Council's attorney shall not represent the City as a municipal corporation in any legal proceeding."

When the Charter was passed in 1975, obviously those that were on the Committee saw the potential for Council to have, and should have, professionalism and independence, and obviously they saw this as one of the top items to give Council independence. For that reason, I've supported it since I've been on

Council, and I continue to today, but I would not support a shift from one portion of government to another portion of government of one of those attorneys.

**Michelle Madoff:**

May I respond, please? Just to clarify, I am not changing my vote from the other day. The five votes, I believe, still hold. That means, finally, Council will at least get their own legal advisor. However, I am also suggesting, because I also got the same letter, and I think sometimes two heads are better than one and in this case it was a viewer who came up with an excellent suggestion that what we do is lower by one, as you just stated, or restated my position because I said it earlier, it's called taking a bite out of my sandwich, I already said that, that we take the budget for the coming year, lower it by one person, from 17 to 16 attorneys, and the validity for doing that would be that we probably use up enough hours in the Law Department to warrant having 16 as opposed to 17 and our having one which would not increase the budget. In other words, we would not, as Mr. Woods said, the benefits would remain the same; whether it's the Mayor's Office or whether it's with us, nothing changes. But we're not hiring an 18th attorney; we're lowering the Mayor's staff by one and increasing ours from zero to one. They're going from 17 to 16; we're going from zilch to one.

But I'm also saying, speaking only for Michelle Madoff and not for anyone else, and I think Mr. Lyons and Mrs. Masloff supported that position, I don't know how Mr. Pollock or others feel, that personally, I speak only for me, I would not have a problem if everybody in the Mayor's Law Department were to apply for the job and I thought they would be independent in an interviewing process, that they were somebody that

would be committed to this Council. That person may not get five votes, then they would not be hired. I'm giving an entirely personal overview of the caliber of people in the Law Department. I think first and foremost they're professionals. I think they obey the laws of ethics and to think less of them or to imply less would be unfair.

But basically, what I'm saying is, we cannot wait any longer so that we don't have another meeting where I realize I looked foolish when we voted on a salary; I said aye when I meant nay or I said nay when I meant aye because aye meant nay and nay meant aye. Nobody knew what we were voting on and I think the best example is the recent one where this Council voted to overrule the President on an illegal vote that was just becoming compounded to be even more illegal. I think we need somebody here with us all the time and I believe somebody from the Mayor's Office would tell us that. But it is apparent from the sentiment of this Council that that person, or one of those people, will not be the selected candidate.

I would also assume that the person hired would not be anyone that has ever worked for any of us previously. Anybody who would be a successful candidate would not have worked for Mr. Woods or Mr. Wagner or myself or anyone. I would assume that no one would be hired that has done personal work for us. I worry about that; I worry about that a lot. It keeps me up at night because I wonder who that person is going to be and whether somebody can manipulate four votes out of this Council for somebody that would be entirely unacceptable to me.

But that aside, I think this vote is with good conscience, people wanting to do the right thing, and I think to lower the budget back to where it is in the next

year we ought to look at transferring dollars from one department to another, being the Administration to Council. That's just something we can look at. Maybe the Mayor may find that somebody has already given notice to the Law Department and is planning to leave. Instead of the Mayor filling that job, just allow us to use the dollars; somehow or another, a mechanism, because he has to close his budget yet anyway. We would then, in reality, not be raising the total City budget at all.

**Mr. Ferlo:**

Madam President, I think there is great legitimacy to this suggestion but I think appropriately it should be something that is discussed at the end of the year during the budget proceedings. I assume the Mayor and the Solicitor in good faith came to previous Council with the need for the 17 solicitors that they have on board and I think if we were to make this suggestion at this time, it would be viewed adversarial to the Solicitor and to the Mayor.

I think the merits of Michelle's legislation stand on their own and I applaud her for introducing this bill. She has helped us to win a significant victory towards the integrity and independence of this legislative body and I think we should leave well enough alone, vote on the bill, and entertain this discussion at the appropriate time.

**Mr. Coyne:**

I would just like to elaborate on what Mr. Ferlo has just said, that I feel it is something that needs to be discussed at the end of the year when budget proceedings are going on. I kind of think it will be difficult to find someone to work as a solicitor for Council if he or she believes that his job may only last until the end of the year. It takes us

three or four months to hire somebody in the first place and then they know that maybe at the end of the year someone from the Law Department will be transferring over for the position. So, I feel that we should go with the original proposal and then discuss this at budget time.

**Michelle Madoff:**

There seems to be a misunderstanding. I am prepared to vote on the bill as it stands. The Mayor has not, nor has City Council, closed the budget for 1988. It is still open. Since the budget is still open and since the Mayor has the prerogative of making any changes and since we use enough hours that would equal one attorney in the Mayor's staff, I'm suggesting that as soon as possible the President of Council meets with the Mayor to see if one of those positions is open, maybe there's not, maybe there isn't a full component of 17 or one is leaving, that the dollars be transferred before the budget for 1988 is closed. Should that fail, then we would look towards the budget process at the end of the year.

**The Chair:**

Michelle, you don't want to amend this bill at all?

**Michelle Madoff:**

No. What I was putting forward is a motion that you, acting for this Council, elected by this Council, speak to the Administration before the budget is closed to see if they would be willing to give up 1/17 of their Law Department, the \$40,000, hopefully, that would come to us.

**The Chair:**

Since there's no official motion, I'll

do that, but we will act on this because it is before us.

**Michelle Madoff:**

Exactly, and if the money is forthcoming, we'll just switch the money around.

**Mr. Woods:**

I just have one last comment, and not just to disagree to disagree. I don't believe that this Council presently uses one of the Administration's attorneys forty hours a week. I just don't believe that. I don't think we give them that much work. I think that in the future, if we had our own, that we would give them that much work. I think on many, many instances we go out to friends that are attorneys, associates, perhaps rivals, even Mr. Pollock since he sits with us on Council, and we don't bother to send downstairs because they are overburdened down there. I think they have a lot of work and I don't think they can afford to give us one. I think they have a fine staff but I think that if we have one, we'll use him forty hours a week; but presently, I don't believe, and I'm not doubting your believe, it's just my personal opinion that we do not use one of the Solicitor's people forty hours. I don't think we give them that much work. If anyone looks around, we don't do that.

**The Chair:**

We don't now but we may in the future.

**Michelle Madoff:**

I think Mr. Woods is correct; we don't give them perhaps forty hours but I bet we could give them the forty hours if, indeed, we had our own solicitor. There's no question that Mr. Wagner

would not have had to bring up the issue in letter form that was asking for a legal opinion on whether the Mayor had the right to appoint members to Alcosan and had the right to remove. I think we would have had a ruling or some input from our own legal counsel a long time ago, including our attorney pointing out to Mr. Wagner that he needed five votes in order to get a legal opinion. I think we need somebody here; I think there is more than forty hours or at least forty hours work.

I don't want to change anything; I'm only suggesting that there may be a way of doing what we want, getting what we want, and still not putting an extra burden into the budget or adding on any dollars.

**The Chair:**

I'll pursue that, Michelle.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne            Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Michelle Madoff

**AYES 5            NOES 3**

(MR. LYONS, MR. POLLOCK AND MRS. MASLOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 86**

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 180, Personnel Administration, Comprehensive Merit Based Personnel System, in the Office of the City Clerk, by deleting the position one Administrative Aide to the City Clerk, and adding two Legislative Assistants." —(SPONSORED BY MRS. MASLOFF)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

**AYES 8            NOES none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Woods presented

Bill No. 123

Report of the Committee on Public Works for January 27, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 59

A Resolution entitled, "Resolution granting unto Mr. E.D. Goslin, 219 Dasher Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a parking area on a portion of the Right-of-Way of Waino Way from the closed portion of West Lacock Street to General Robinson Street in the 22nd Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

Mr. Lyons presented

Bill No. 124

Report of the Committee on Planning, Housing and Development for January 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 48

A Resolution entitled, "Resolution amending Resolution No. 412, effective May 18, 1987, entitled: 'Providing for an Agreement or Agreements with the Northside Common Ministries for the furnishing of professional services in connection with their Food Pantry Program for the benefit of the needy residents of the City of Pittsburgh during 1987, at a cost which is not to exceed \$10,000.00 chargeable to and payable from Code Account 1103, (110304), Miscellaneous Services in the Department of City Planning, and transferring \$10,000.00 from Code Account 45, Health Insurance, (004507), to Code Account 1103, Miscellaneous Services (110304) Department of City Planning,' so as to add 1988 as a contract year."

Which was read.

Also,

Bill No. 49

A Resolution entitled, "Resolution amending Resolution 883, effective August 25, 1987, entitled: 'Providing for an Agreement or Agreements with the

Pittsburgh AIDS Task Force, Inc. for the furnishing of professional services in connection with its programs of advocacy services, emergency fund, education, risk reduction and other programs of awareness and compassion for the benefit of all the residents of the City of Pittsburgh during 1987 at a cost which is not to exceed \$40,000.00 chargeable to and payable from Code Account 1103, (110304), Miscellaneous Services in the Department of City Planning, and transferring \$40,000.00 from Code Account 10, (001008), Accounts Payable - Prior Years to Code Account 1103, (110304), Miscellaneous Services in the Department of City Planning, so as to add 1988 as a contract year."

Which was read.

Also,

Bill No. 72

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to execute amended Article III of the Agreement with the Counties of Allegheny, Armstrong, Beaver, Butler, Washington, and Westmoreland for 'provides for the removal of the requirement that one of the appointed SPRPC members shall be a member of the City Planning Commission, and allows for the appointment of any private citizen who is a resident of the City of Pittsburgh may or may not be a member of the Planning Commission.'" (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 125

Report of the Committee on General Services for January 27, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 11

A Resolution entitled, "Resolution amending Resolution No. 281, effective March 30, 1987, entitled, 'Providing for the letting of a Contract or Contracts for the furnishing and delivery of Motorized Fire Equipment for the Department of General Services,' by increasing the amount from Five Hundred Thousand (\$500,000.00) Dollars to Seven Hundred and Eleven Thousand (\$711,000.00) Dollars." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo**

Madam President, I want to reiterate that I agreed earlier at the last meeting to withdraw the amendment that I had in relation to the specialized fire truck for the hazardous materials on the understanding and agreement with the Administration that they will work out a fee schedule for this truck when it's to be utilized outside the municipality of the City of Pittsburgh. It's my understanding that they will shortly be forthcoming to this Council with an ordinance in relation to the fee schedule. So it's on that basis and a willingness to work with the Administration on this that I've withdrawn the amendment and I will be supporting this bill.

**The Chair:**

That amendment has been withdrawn from this bill and it is now ready for final action.

Also,

Bill No. 12

A Resolution entitled, "Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled: 'Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

**AYES 8**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

**The Chair presents**

No. 129 Resolution approving the appointment of Philip Wasler, 5820 Rippey Street Apt. #1, Pittsburgh, PA 15206 for an unexpired term as a district member of the Pittsburgh Cable Communications Advisory Committee, to expire December 31, 1988.

Also,

No. 130 Resolution approving the appointment of Margaret Egler, 4614 Fifth Avenue #218, Pittsburgh, PA 15213 for a three year term to expire December 31, 1990, as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

**Mr. Wagner** moved to approve the appointments.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

On another matter, Madam President. The subject of how we were going to go about hiring legal counsel, I was told, was to be brought up today, that it was procedural. I'd like to start by sharing a letter that I sent to the President of Council, and I think members of Council received it, in case someone didn't get it. I have conferred with legal counsel and it appears the vote for President Pro tem was an illegal vote. If the President Pro tem who was elected illegally chairs a session in which a major issue is addressed, and a ruling is made by the Chair that has impact on the vote or issue, Council would find itself in a very awkward legal position.

The Rules of Council clearly indicate that the President Pro tem is elected only when a quorum is present and the President is absent. It is only pertinent on an as-needed basis. Therefore, may I strongly suggest that you seek a legal opinion supported by five votes of Council from the City Law Department on this matter. We want to be sure that we get an answer.

Further, if Council wishes to elect a permanent President Pro tem, it can do so but it must first amend the Rules of Council. This would be in accordance with proper procedure. Then, and only then, would it be proper for Council to elect a permanent President Pro tem. If it is the will of Council to have a permanent President Pro tem, fine. But I think we need to correct the procedure so that he does not serve illegally and any decisions made that day might affect all of us.

**The Chair:**

I've already asked for that opinion but if you want another vote now to do so I'll be glad to entertain your motion.

**Michelle Madoff:**

I just want to make sure that you're not a victim as Mr. Wagner was with six months of not getting an answer.

**The Chair:**

No, I won't be. I've already asked for that opinion.

**Michelle Madoff:**

Why should you be treated as a member of Council differently than Mr. Wagner was? The answer was, we didn't have five votes; therefore, it was not a legally required question. I would like to make it official, if it's alright with the President.

**The Chair:**

What is your motion?

**Michelle Madoff:**

My motion is that you proceed to get a legal opinion as you have and that you have the support of this Council in getting that legal opinion.

**The Chair:**

Alright, we'll vote on your motion, Michelle.

**Michelle Madoff:**

Yes, that you get a legal opinion from the Law Department as to --

**The Chair:**

I told you I've already asked for that and I thought I'd have it, but if you insist on it --



**Michelle Madoff:**

I just want to make sure you're protected; that the answer is not, well, you didn't get the vote of Council to get an opinion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 3                      NOES 4

VOTING NO:

|           |            |
|-----------|------------|
| Mr. Ferlo | Mr. Wagner |
| Mr. Lyons | Mr. Woods  |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Michelle Madoff:**

Madam President, it may be necessary to go outside of this body and pay for a private attorney or get a volunteer, someone to rule on it. But it is absolutely an illegal vote and should the President pro tem ever preside over a meeting and a ruling is made that would affect this Council, remember how you voted, members of Council.

Continuing in the same vein, I have copies for everybody of what the ad looked like that was put out, and I think there was an amended one that said full-

time, on how the ad was placed in the paper and scrawled on the page is the --

**The Chair:**

Michelle, if you are asking that we have the Mayor assign a permanent attorney from the Law Department, why are we going through this?

**Michelle Madoff:**

The vote is passed that we hire an attorney. What I'm asking, and I thought you understood, is that you just ask the Mayor if he would give up one of his attorneys and give us the funds for it. It's just a matter of dollars. How we go about hiring somebody at this point, since Council is not willing to accept any of the Mayor's staff, it's a moot issue.

**Mr. Lyons:**

Madam President, has this letter been placed as an ad?

**Michelle Madoff:**

Madam President, if I may continue, I'll clarify. This was the ad that was placed several years ago, in '84, I believe it was in the Legal Journal, am I correct, and the local papers asking people to apply for the job as City Solicitor. There was a form made up by my staff; an interviewing process. We interviewed. The Committee then consisted of myself, Bob Stone and Bill Robinson. We narrowed it down to several very competent, independent, non-working for the Administration attorneys, and then nobody approved it.

I'm only sharing with my colleagues, since the bill has passed and it is now law. It's not a matter of, are we going to overrule it; it's a matter of how are we going to go about filling that job. That is passed; it is the will of

Council, how we go about getting and hiring legal counsel.

I think it would be appropriate for the President of Council to appoint a committee and to have some kind of ad drafted. It may not be this ad; this is just a sample of what we ran before and we had some very outstanding responses. There may be another approach; I just want to be sure that we do not hire anyone that is beholden to any member of this Council for any personal reasons. I've used about five or six attorneys in this City so they would not be eligible.

**The Chair:**

I'll see that a committee is appointed.

**Mr. Ferlo:**

Madam President, in relation to the hiring of the attorney, I think it would be fair, much in the same way that all of us as elected officials hire the City Clerk directly, in this instance the legal advisor to Council, I think the Council should be a committee of the whole and not an appointed committee. I think each one of us should be a part of the process of interviewing candidates for this position; I think each one of us should be part of the interviewing, part of the questioning, because alternately, each one of us is going to have a vote on the hiring of this individual. In deference to your suggestion of a committee, I think Council as a committee of the whole should be interviewing and conducting the hiring process for this individual because of the unique nature.

**The Chair:**

We're never going to be able to get nine members of Council together to

interview anybody. You can recommend anybody you like; we'll interview anyone you like.

**Mr. Ferlo:**

I'm not going to recommend anybody; I want to be there myself. I want to be part of the interviewing process of the individual that is going to be beholden to us as elected officials.

**The Chair:**

Mr. Ferlo, I'll make you part of that committee.

**Mr. Ferlo:**

Thank you, Madam President. But I think all of us should be part of that committee.

**Mr. Coyne:**

Madam President, I think what Mr. Ferlo is saying is that, sure, it may be hard to get all nine people together, but that all nine should be given the opportunity to go to the interview process if it occurs.

**Michelle Madoff:**

Madam President, may I point out, and I'm sorry I overlooked stating this, that anybody was welcome to the meeting. It was a committee of three but anybody could sit in who wished to sit in. And when we came down to the recommendations, I think there were three people who were recommended and they would have had to have been interviewed by the Council as a body and then Council would have voted on which of the three they wished to have. So, there's no intention to usurp all of Council but it's a matter of streamlining it, to be efficient, to get on with the job. I think we need a committee, and as

far as I'm concerned, it could be anyone who wishes to serve. The President of Council will make that decision; I think it's her prerogative. And I would ask not to be on that committee so that there will be no appearance of impropriety. Since it was my bill, I would ask not to serve on that committee.

**Mr. Ferloc**

Madam President, I just want to be clear. What is the course of action in relation to the hiring of the attorney? Is Council a committee of the whole on this?

**The Chair**

No, I will appoint a committee and, as Michelle pointed out, anybody is free to sit in on the interviews. But never are we going to be able to get all nine people together to interview any one person at any one time. But when the interviews are in progress, you'll be free to participate.

**Mr. Ferloc**

And a majority of Council will then make a recommendation to this body as to who that individual will be.

**The Chair**

Yes, when the name is submitted.

**Michelle Madoff**

Excuse me; I think that's an error. The majority of this Council would vote on who the person would be. In other words, it could be somebody picked by the Committee and you need five votes and since there are only five votes to have an attorney, we may end up with one of those five votes saying, "No, I don't like that person." So, I think we have to have a selection process where

you come up with a procedure, what kind of ad, where are you going to run the ad, what will the ad say, and who will interview the candidates. If you like, we'll give you our forms which are very well thought out and you can use them as a basis, you can throw them away, do whatever you want with them. And then, when you come down to a selection of the most appropriate people who could serve our City residents, at that point Council would vote for the final person who is selected.

**Mr. Ferloc**

Madam President, on two unrelated matters. Quickly, on the report of the solid waste treatment post agenda meeting that was held, I thought it was a very valuable meeting and I have submitted to members of Council and to the public a report summarizing the meeting on the issue of our City garbage contract being up at the end of the year. But, as a result of the information learned at this three and a half hour hearing, which also had County Planning representatives there who in the future will be charged with various waste management concerns, I would like to urge Madam President and members of Council to consider two recommendations. It was very clear from the hearing that the landfill contract that will be up at the end of the year, I used the phrase that we, in the City, will be slapped in the face because of the tremendous increase that is looming on the landfill cost. We pay \$6.50 a ton now; it's very conceivable that it could go up to \$20, \$30, \$40 a ton.

I am urging, Madam President and members of Council, that we call on the Administration to move more expeditiously on letting out of the contracts which they are tentatively planning to do in July. But I think the urgency of this issue, I think the

Administration should consider letting out the bids much earlier to allow for a planning process to deal, not only with the financial calamity but also the possibility, as discussed in the meeting, of a number of different alternatives such as the trash separation, the possibility or feasibility of a trash recycling plant. There are a number of alternatives, some of which are going to be mandated by a Senate bill and a bill the Governor has before us which Councilwoman Madoff had circulated information to all of Council on that.

I guess what I'm asking, in summary of the post agenda, is for Council to consider calling in the Administration to let out the bids much earlier than the July period so that we can plan accordingly and also to have the Administration establish a planning process with Council to review some of the alternatives such as trash separation. I'm calling on Madam President and members of Council to please consider this and join me in urging the Administration to deal with this concern.

**Michelle Madoff:**

On the same subject, Madam President. I believe that the County Commissioners have set up some kind of a task force to look at the viability of any and all alternatives. If they have not, they should be, and you cannot have any of these alternatives without a joint effort. You must have the whole County involved; the City does not generate enough garbage in order to do any of these processes as an independent body. But I think there needs to be a committee set up immediately to look into all alternatives because it's not just this year and, indeed, there's no question it will go up by a factor of 300 percent this year and it could be a lot more.

But I was calling upon the President, I think we talked about this earlier, to hold a public hearing because, unfortunately, in the process of having a post agenda, the public at large does not know what we as Councilmembers are going to have to vote on and why their taxes may indeed go up. And I think we have an obligation to, excuse the expression, air this fragrant matter in public, to have the hearing publicized, have a public hearing and invite all the interested parties. We have a list, including all of yours, Mr. Ferlo, the list that you provided for your post agenda. We'll include everybody and if anybody has anyone else they wish to include, and it might be productive to have somebody here from EPA, Environmental Protection Agency, Department of Environmental Resources, Mr. Davis, and again, the Commissioners, to see what direction we're going to take.

But more important, I am offended that I didn't hear about Bill 528 until I went to the Gephardt dinner to listen to him, not committed, just to listen, and I learned there, because there were a lot of people in the business, that Bill 528 was pending and it already passed the Senate and would likely pass the House, which means a tremendous burden on City of Pittsburgh taxpayers. I think we have an obligation, or somebody should have had an obligation to tell Councilmembers because we are the final vote on the budget. The Administration has been feverishly working on this issue, but nobody told us about it. That's unfortunate and I would hope, even though I was assigned to an energy committee by the President at that time, Mr. DePasquale, I had never been invited to a meeting. I've sent letters over continuously saying, "Next time there's a meeting on energy, would you please include me?" There seems to be an unwillingness on the part of the Administration to do that.

So, I would suggest that we proceed with the public hearing, look at every avenue of what can be done to save taxpayers' money, have input from the public because we may have to go to separate of our refuse. We may find that it is economical or not economical. We may find that, although the law permits a cogeneration and the producing of electricity that the local utilities under law must buy, that with the 40 percent excess demand we may be causing ourselves a greater problem with unemployment. We need to look at it in an intelligent manner and do it in full view of the public.

**Mr. Ferlo:**

Madam President, I will support the notion of having a public hearing; I have no problem with that. I don't want to point an accusatory finger at the Administration but what I gathered from the hearing from the Administration as well as comments in the paper stated by Executive Secretary Jacoby is that in fact they are not working feverishly on the alternatives, that what they have in mind is an acceptance at the end of the year of having to bite the bullet and read just the budget for a major increase in the amount of the landfill. I think what we need to look at, rather, is alternatives and that's a planning process that needs to start right now.

The other thing that worries me, quite frankly, and I'm trying to raise that issue now in January, not at the end of the year when it is typical that the Administration will present Council with a fait accompli. You have to do this, they were in a budget crisis, and I fear, quite frankly, from the Director's comments that the institution of garbage fees that has individuals paying aside from the four percent wage tax and everything else, that the Administration will present a proposal to Council

because of the financial calamity of instituting garbage fees, a separate service fee that residents will have to pay to get their garbage picked up. If that's going to happen, I'm going to resent being presented with that kind of dilemma at the eleventh hour come November and December during the budget discussion with the Administration.

So, I don't want to sound like Paul Revere but I am trying to sound an alarm here and I think it's important that we urge the Administration to expedite the bid process and set up this planning process independent of the County. The County planning process is all well and good but I'm talking more specifically about the needs of the City of Pittsburgh as a municipality.

**The Chair:**

But didn't your post agenda cover most of the things that Ms. Madoff speaks of?

**Mr. Ferlo:**

Yes it did and she's pointed to many important things. But the point is, the public hearing is needed and the Administration needs to react, the Administration needs to give a response to this Council and not just one lone Councilmember as to what their feelings are about moving up the bid and dealing with some of the alternatives. I did not sense from the representatives and spokespersons of the Administration that they were seriously working feverishly, as Michelle said. I did not gather that from their testimony and I'm hoping that other Councilmembers and Madam President will join with me in expressing this concern to the Administration.

**Michelle Madoff:**

Same subject. With all due respect to Director Botsford, she did say that traditionally they go out for a contract three months prior to the signing. In this case she's going out six months in advance.

And when I said they're working feverishly, I'm referring to looking for immediate sites, alternative sites, and again, perhaps doing some kind of joint effort with the County.

I again expound on the realities. You cannot have a separation of the garbage; you need volume in order to do anything productive. You're going to need the input of County and City.

I again call for a public hearing because it's going to be hitting all the taxpayers, City taxpayers, in the pocket, who can least afford it.

When I said they're working feverishly, I mean on resolving the problem at the least dollars and I think what they're thinking of is perhaps they'll get three times the bill which will be \$18 a ton compared to the rest of the nation which is \$90 or \$50 a ton, in one community \$120 a ton, that they could live with \$18 a ton. Well, they may be able to live with it but, as Mr. Ferlo is pointing out, \$18 a ton would mean a raise of \$2 million in our budget process and perhaps having to go to the taxpayers for a tax increase. So, I don't think the people should be hit with a budget increase without knowing why; they should be part of the process.

And I would respectfully ask that as soon as possible a public hearing is scheduled, the same people that were at the post agenda so the public at large will understand what the alternatives are, and that the Administration be here

and that the County be invited to partake and come up with some recommendations on how we can work together. We are not working against each other. I'm not defending the Administration; I'm only saying, let's go on from here and let's be productive.

**The Chair:**

I will do that; I'll set a hearing with all the names that you've given me.

**Mr. Ferlo:**

Thank you, Madam President.

**Mr. Woods:**

You need a motion for that.

**Michelle Madoff:**

I move to set the hearing.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Woods** moved to excuse Mr. DePasquale for absence from the meeting.

**Michelle Madoff** seconded the motion.

**Michelle Madoff:**

May I ask a question? I thought it was the prerogative of any member of Council to request a public hearing because I know there's a question that members can either get the traditional 25 signatures or we have the prerogative of having a hearing just by asking for it.

**Mr. Perry:**

They could ask for it, Michelle, but it's not granted automatically.

**Michelle Madoff:**

Okay, I did not know that. You see, that's the kind of thing I would love to have a solicitor here for, to tell me because, you see, it depends on who is in power. If you're in power, you can get things through.

**Mr. Woods:**

We have a motion on the floor, Madam President. May I call a point of order and please vote on the absent member?

**The Chair:**

On the motion to excuse the absent member, all in favor? Opposed?

WHICH MOTION PREVAILED

**Michelle Madoff:**

On the same subject that I was on, I think we need clarification so that we don't have rules that apply to one members and not to another. I think that our voting again to not allow Councilwoman Masloff to get a legal opinion when the vote was clearly illegal was very detrimental to this Council. People watching us must think we're a bunch of baffoons.

**Mr. Woods:**

Madam President, point of order. We are on another subject and my colleague knows, and she's been on this Council a lot longer than I have, that it takes five members to set a public hearing unless you have 25 signatures. What's the joke? Either you're a stone idiot or you haven't been here.

**Michelle Madoff:**

Madam President, I was unclear, as

was Mr. Wagner, when he asked for a legal opinion.

**Mr. Woods:**

Bull.

**Michelle Madoff:**

And that's exactly what you're full of, Mr. Woods.

When Mr. Wagner asked for a legal opinion, he was under the impression that he was getting the same. He asked for it again and he didn't get it. I have been under an erroneous impression that any member of Council could ask for a hearing; previous Presidents have permitted that. There has not been a definitive rule. If you're a friend of the President, or if the President was in a good mood that day, because I personally have been granted public hearings for community groups just by requesting it and not by having to have the 25 signatures. If the procedure is going to be that we adhere the rules and the rules, indeed, are that you need five votes to call for a hearing, I certainly will go with the rules. But I want to tell you that I was totally unclear on that issue simply because other people have said, "Gee, we ought to have a hearing"; "Sure, we'll have one", and that's it. The same way that you, yourself, today were really — I apologize that this Council would not see fit to support you in just getting an opinion because I think you're going to be proven very correct in the long term and we could have a big problem.

**The Chair:**

I believe that it's the jurisdiction of the Council President to set the hearings at anyone's request. However, I'll check it with the City Solicitor to be sure.

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**Michelle Madoff:**

I'm talking, again, about the issue of our vote today. That's why I said we need to have votes to make sure how things happen. Here, we had a vote that I think again was an illegal vote.

**Mr. Ferlo** moved to approve the Minutes of Monday, January 4, 1988; Monday, January 11, 1988; and Tuesday, January 19, 1988.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXXII    Monday, February 8, 1988

No. 6

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### Municipal Record

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#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, February 8, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

#### ABSENT:

Mr. DePasquale  
Mr. Woods

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presents

No. 176 WHEREAS, John and Madeleine Wallace who reside in Hazelwood have been married for 61 years; and

WHEREAS, Governor Robert P. Casey recognized Mr. and Mrs. Wallace, along with 111 other Pennsylvanians, for voting consecutively in every November election for the past 50 years or more; and

WHEREAS, Governor Casey has called voting "the essence of American citizenship", and nearly 800 people have been inducted in the state's Voter Hall of Fame since it was created in October 1986.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh join in offering our congratulations to John and Madeleine Wallace for their outstanding voting record which includes voting in every November election for at least 50 years.

Mr. Coyne moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Coyne:

I'd also like to say that Mr. Wallace still swims once a week over in Oliver

Pool and he can still swim a mile in 32 minutes. I think that's really something to be admired.

**Mr. Ferlo presents**

No. 177 WHEREAS, the Pennsylvania Conference on Black Basic Education is a statewide coalition of educators and individuals striving toward improving the quality of basic education in the black community; and

WHEREAS, the Conference works on such issues as overcoming roadblocks to reach excellence, self esteem, preparing for higher education, family math, and delivery of services to middle school students; and

WHEREAS, from February 12-14, 1988, for the first time in the 17 year history of the organization, the Conference is being held in Pittsburgh at the Hyatt Hotel at Chatham Center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes keynote speaker Thomas Gilhool, Secretary of Education of the Commonwealth of Pennsylvania, and all other conferees in their noteworthy efforts.

**Mr. Ferlo moved to adopt the resolution.**

**Mr. Lyons seconded the motion.**

Which motion prevailed.

**Mr. Ferlo:**

Thank you. I'd like to allow two individuals to speak briefly to members of Council in accepting this resolution. To my left is Gelora Wilson; she's President of the Western Region of the Pennsylvania Conference on Basic Black Education and also to my left Geneva Twyman. I know her as one of the

Administrators out at the Pittsburgh Board of Education and I know that she's also a participant and one of the leaders of this organization. I'd like them to come forward and just let you know about the important work of this conference.

**Ms. Wilson:**

We graciously accept this proclamation for Conference on Black Basic Education.

We're very happy the caucus is in Pittsburgh for the first time; it took us a long time to get it here. We really have a lot to be proud of, being from Pittsburgh, and we always brag about Pittsburgh, the Number One City.

Conference on Black Basic Education was organized 17 years ago. In fact, one of the founders was representative K LeRoy Irvis. He saw, along with some other fellow workers, the need to be concerned about basic education for all children, not only Black and minority youth. This has continued for 17 years.

We'd like to invite you to the conference and we hope that this will be the best conference that Black Basic Education has ever had.

**Michelle Madoff:**

How many people are coming?

**Ms. Wilson:**

We're expecting between three and four hundred.

**Ms. Twyman:**

I would like to thank Council also. We're very honored to have the Conference on Black Basic Education

come to Pittsburgh because, you see, many people still feel that we are living in the smoke, in the cinders, and all those kinds of things. So, we welcome each and every one of them to come. We wanted a place to be located in Downtown Pittsburgh and we also want you to know as Councilmembers that all of the talking about the good things that occur in Pittsburgh, we all don't reside at Grant Street. So, we're out there and we're pitching and we're talking about our City, we like what's happening in our schools, and one of the highlights and I think one of the things that excites me the most is the fact that we are always getting together as adults to talk about students and what they ought to do and how. Not too many people give them an opportunity to show how.

So, at this conference, the persons that I have sought to be my convenors and recorders are coming from all over this system; they're coming from the science and math program at Westinghouse High School. They're also coming from the business and finance department of that high school. We have a young lady who is going to MC the youth luncheon, of which Reverend Donald Clay will be the speaker. And too often, when we're talking about young people, we suit people up and tie them down and at this conference we want to bring people before these young people, somebody that they can look up to as role models.

Thank you. Thank you, Mr. Ferlo.

**Michelle Madoff:**

This next resolution is one that is dear to my heart and one that I am glad to see that we're having a meaningful response from Bell Telephone of Pennsylvania. It addresses an issue of the hearing that we had here in Council which was very vocal, where parents

were paying \$4,000 bills for their children who were at home using the telephone with nobody to restrict them. We all have children and we know what children are prone to do.

**Michelle Madoff presents**

No. 178 WHEREAS, Bell of Pennsylvania has announced a new plan restricting dial-a-porn and live gab lines; and

WHEREAS, under the proposed plan every subscriber will be blocked unless they authorize unblocking; and

WHEREAS, under the proposed plan Bell of Pennsylvania operators will no longer connect anyone to the new prefix and calls will no longer be placed from Bell of Pennsylvania coin telephones; and

WHEREAS, under the proposed plan all of these calls will be separately identified in customer's bills.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh commend Bell of Pennsylvania for its continuing efforts and urge the Public Utility Commission to approve this new plan.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Shirley Risoldi:**

I would like to say that this is a very important issue to us and it means a great deal for us to have your support.

Thank you.

**Mr. Wagner:**

Madam President and members of Council, I also want to commend Bell of Pennsylvania for adopting that new system because, obviously, we had a public hearing here about a year ago. It was a very turbulent public hearing; we had many participants from the public that were requesting that something be done and it's very satisfying to see that a public utility, Bell of Pennsylvania, reacted to that and is addressing the problem.

This next resolution, I'd like to ask Tom Miller from Knoxville to please step forward to receive it. The resolution deals with an individual, the Reder family from Knoxville and is represented through the Knoxville Community Council. Mrs. Reder couldn't make it here today and Tom is receiving the resolution for her.

**Mr. Wagner presents**

No. 179 WHEREAS, the Knoxville Community Organization has established a scholarship fund for high school seniors who live in Knoxville and plan to further their education; and

WHEREAS, the fund is known as the William J. Reder Memorial Scholarship in honor of William J. Reder, a wounded Vietnam Veteran who was always lending a helping hand to those in need; and

WHEREAS, William J. Reder is the son of Knoxville Community Organization member Marie Reder; and

WHEREAS, one student from a public high school and one student from a parochial high school will be selected to receive this scholarship; and

WHEREAS, the scholarship

recipients must be Knoxville residents and must qualify in academic achievement, volunteer service to the community and extracurricular activities; and

WHEREAS, community support is vital to the success of this scholarship fund.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Knoxville Community Organization for establishing the William J. Reder Memorial Scholarship; and

BE IT FURTHER RESOLVED, that we ask the people of Knoxville and the entire City of Pittsburgh to support this worthwhile cause which will greatly benefit two dedicated and deserving students.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I also want to commend the Knoxville Organization for doing this on behalf of the students and on behalf of Mr. Reder. Tom Miller who is with us, also a Viet Nam Veteran, Tom, please say a few words.

**Mr. Miller:**

Thank you. On behalf of Marie Reder who is feeling a little ill today and couldn't make it, and on behalf of the Knoxville Community Organization, I would like to express our thanks to Councilman Wagner for drafting this resolution and to Council for passing it. We appreciate it very much. Thank you.

**Mr. Coyne presented**

No. 131 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account PR 88-06, Concrete Repairs to Park Facilities, Department of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 132 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of a fogging system for the Department of Parks and Recreation at a cost not to exceed \$16,000.00, chargeable to and payable from Code Account Phipps Conservatory Trust Fund (PCTF), Department of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 133 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed \$8,400.00,

chargeable to and payable from Code Account 1801, Miscellaneous Services in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Coyne for Mr. DePasquale presented**

No. 134 Resolution amending Resolution No. 414, effective May 16, 1986, entitled: "Providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood including work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$10.70 (from \$50,000.00 to \$49,989.00) chargeable to and payable from the 1985 Community Development Block Grant, "Unspecified Local Options" (CC-85-01).

Also,

No. 135 Resolution amending Resolution No. 429, effective May 7, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering services in connection with the Rehabilitation of No. 5 Police and No. 8 Fire Station; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$48,000.00 (from \$30,000.00 to \$78,000.00) chargeable to and payable from Code Account EC 85-52.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 136 Resolution providing for

the issuance of a warrant or warrants in the amount of \$75,564.68 in favor of the Buncher Management Agency, Inc. for payment for necessary renovations at the Gateway View Plaza Facility, not covered under lease agreements, payable from Capital Account GS86-06, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 137 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various repairs and renovations at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account GS88-04, Bureau of Repairs & Operating Maintenance, Department of General Services.

Also,

No. 138 Resolution providing for the letting of a Contract or Contracts, or the exercise against existing Contracts, for various energy conservation projects for the Department of General Services at a cost not to exceed \$112,500.00, chargeable to and payable from Code Account GS88-02, Energy Conservation Improvements for Public Buildings, Department of General Services.

Also,

No. 139 Resolution amending Resolution No. 146, effective February 26, 1987, entitled: "Providing for a Professional Services Agreement or Agreements for an internship for graduate student(s) to perform various energy related services for the Department of General Services at a cost not to exceed \$17,500.00," by extending the term of the Agreement to

the present calendar year from January 1, 1988 through December 31, 1988, payable from Code Account 1134, Miscellaneous Services, Department of General Services.

Also,

No. 140. Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Susan Gove, Joseph Bucci and Henry Cafardi to attend the Best Locking System seminar, in Indianapolis, Indiana, March 23-25, 1988, at a cost not to exceed \$1,800.00, payable from Code Account No. 1128, Miscellaneous Services.

Which were severally read and referred to the Committee on General Services.

**Mr. Lyons presented**

No. 141 Resolution amending Resolution No. 1145 of 1982, entitled: "Residential Parking Permit Program Trust Fund," which created a special trust fund for the deposit of fees to cover costs associated with the administration, implementation, maintenance of the Residential Parking Permit Program, to allow for payment of salaries and contract or contracts associated with the program.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 142 Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Environmental Resources, Certification, Licensing and Posing, 6th Floor, Fulton Building, P.O. Box 2063, Harrisburg, PA 17120 in the amount of \$1,400.00 in payment for

Certification of the Water Treatment Plant Laboratory, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act of May 1, 1984, chargeable to and payable from Code Account No. 1972, Miscellaneous Services, Purification and Pumping Division, Department of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 143 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for ten (10) Department of Water personnel to attend a three-day training and licensing course in backflow prevention inspection and certification, March 3, 10, and 12, 1988, at a cost not to exceed \$1,300.00, payable from Code Account No. 1922, Miscellaneous Services.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 144 Resolution providing for the issuance of a \$1,025.07 warrant in favor of Gary L. Brooks in settlement of claim for automobile damage by a Bureau of Fire vehicle on the Swindell Bridge, payable from Code Account No. 46, Judgments.

Also,

No. 145 Resolution providing for a Professional Services Agreement or Agreements for the provision of design/programming new or revising existing miscellaneous data processing and/or automated information systems/applications for the Departments of Public Works and Finance at a cost not to exceed \$45,000.00 for the Bureau of Information

Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Miscellaneous Services.

Also,

No. 146 Resolution providing for a Professional Services Agreement or Agreements for the provisions of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed \$35,000.00, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 147 Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed \$50,000.00, payable from Code Account No. 1043, Miscellaneous Services, Bureau of Information Systems, City Information Systems, Department of Mayor.

Also,

No. 148 Resolution authorizing the Mayor and the Director of the Department of Finance on behalf of the City of Pittsburgh, to lease to Tri-River Marine, Inc., six hundred seventy six (676) lineal feet of wharf frontage on the Ohio River near the foot of Main Street, for a term of five (5) years, subject to a ninety (90) day cancellation clause with year to year renewal provisions, at a rental of Eight Hundred Forty Five (845) Dollars per month, and providing for certain terms and conditions.

Also,

No. 149 Resolution Repealing Resolution No. 38, Item G, approved

February 2, 1987, which authorized the sale of property in the 19th Ward, being a 2 Story, Brick house and garage, located at 1529 Orangewood Street, designated as Block 35-H, Lot 75 to Don Baker, for the sum of \$7,500.00. The reason for the above Repealing Resolution is that HUD is redeeming the property.

Also,

No. 150 Resolution Repealing Resolution No. 446, Item D, approved June 4, 1987, which authorized the sale of property in the 12th Ward, being a 2 Story, Brick house located at 1323 Pointview Street, designated as Block 173-J, Lot 28, to Beverly Davis, for the sum of \$3,500.00. The reason for the above repealing Resolution is that HUD is redeeming the property.

Also,

No. 151 Resolution, Whereas, City Council has heretofore enacted Resolution No. 110, Item A, approved March 2, 1983, for the sale of property in the 1st Ward, being a 2 Story, Brick house, located at 2034 Forbes Avenue and a vacant lot, located at 2034 Tustin Street, designated as Block 11-K, Lots 163 and 246, to Willard T. Harrison, for the sum of \$2,000.00. At an Auction, W.R. Kaelin became the Successful Bidder, for the sum of \$2,200.00.

Also,

No. 152 Resolution Repealing Resolution No. 342, Item K, approved April 23, 1987, which authorized the sale of property in the 10th Ward, being a 3 Story, Brick house and garage, located at 5015 Penn Avenue, designated as Block 50-K, Lot 335, to Thomas Buchser, for the sum of \$6,500.00. The reason for the above repealing Resolution is that by Court Order of November 23, 1987,

signed by Judge Bernard J. McGinley, the former owner, Spencer Ledbetter was allowed to redeem the property.

Also,

No. 153 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 154 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for George Jacoby to attend meetings on Strategy 21 in Harrisburg, PA, January 26-27, 1988, at a cost not to exceed \$800.00, payable from Code Account No. 1017, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 155 Communication from James Turner, Director, Department of Finance, requesting authorization for himself and Henry Sciortino to attend the Government Finance Officers Association seminar on Public Pension Investment Strategies, San Diego, California (via Los Angeles), February 21-24, 1988, at a cost not to exceed \$2,600.00, payable from Code Account No. 1063, Department of Finance. The seminar will focus on the investment process including the allocation of assets i.e. the mix of stocks, bonds, real estate, and other investment vehicles. The total combined assets of the pension funds currently exceed \$40 million dollars.

Also,

No. 156 Communication from Reginald Young, Acting Director, Department of Finance, requesting



authorization for Henry Sciortino to travel to Washington, D.C., February 16-19, 1988 and to Atlanta, Georgia, April 29 - May 5, 1988, at a cost not to exceed \$2,600.00, payable from Code Account No. 1063, Department of Finance. (PRIOR APPROVAL GRANTED)

Also,

No. 157 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for Mark Zabierek to travel to Harrisburg, PA on various dates from February 15, 1988 to July 1, 1988, at a cost not to exceed \$8,500.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 158 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase equipment generators (8), quartz lights (52), deck mount/portable monitors (10), and hydrant valves (9) for the Bureau of Fire at a cost not to exceed \$65,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account 1464, Equipment.

Which was read and referred to the Committee on General Services.

Also,

No. 159 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Fire Chief John R. Leahy, Jr., Bureau of Fire, Department of Fire to attend the Metropolitan Fire Chiefs Annual Conference, El Paso, Texas, April 9-14, 1988, at a cost not to exceed 1,084.00,

payable from the PSTA Code Account.

Also,

No. 160 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Arthur L. Day, Detective Arson Investigation Division, Bureau of Fire, Department of Public Safety to attend a seminar at the State Fire Academy, Lewistown, PA, February 8-12, 1988, at a cost not to exceed \$430.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Also,

No. 161 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for twenty-eight (28) Police Lieutenants and Sergeants to attend the Police Supervisor In-Service Training Program at the Public Safety Training Academy, Pittsburgh, PA February 29, 1988, and March 1-2, 1988, at a cost not to exceed \$2,990.00, payable from the PSTA Code Account.

Also,

No. 162 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief Mark Martorano and Andrew Mesaros, Programmer Analyst 3 to attend a C.A.D. Consortium meeting Minneapolis, Minnesota, February 26-27, 1988, at a cost not to exceed \$1,134.00, payable from the PSTA Code Account.

Also,

No. 163 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief Mark Martorano and Andy Mesaros, Programmer Analyst 3 to attend the C.A.D. Consortium meeting in

Kansas City, MO, January 8-9, 1988, at a cost not to exceed \$893.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

**Mr. Wagner for Mr. Woods presented**

No. 164 Resolution providing for the issuance of a warrant in favor of the AGF, Co., in the amount of \$3,250.00 in payment for Poly Bottles that were used during the water crisis that was caused by the oil spill in the Monongahela River, chargeable to and payable from Code Account 1612-2, Equipment.

Which was read and referred to the Committee on Finance.

Also,

No. 165 Resolution amending Title and Paragraph two (2) of Resolution No. 676, approved August 13, 1987, effective date August 25, 1987, entitled: "Adopting Official Sewage Facilities Plan for McElhinney Plan", by including Block and Lot Numbers.

Also,

No. 166 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing and installing and/or reinstalling steel guiderails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 88-11, Flexible Beam Guiderails.

Which were read and referred to the Committee on Public Works.

**The Chair presented**

No. 167 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C. to attend the National Cable Television Association Convention, Los Angeles, California, April 30 - May 3, 1988, at a cost not to exceed \$1,497.00, payable from the Community Communications Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 168 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the increase of non-union contractors working on publicly funded and supported construction projects. This petition is valid in accordance with Section 320 of the Home Rule Charter. Also, requesting that this hearing be cablecast.

**Mr. Ferlo:**

I move to cablecast the public hearing that is being requested on the construction issue.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

Also,

No. 169 Communication from Daniel Pietragallo, Executive Director, Housing Authority of the City of Pittsburgh, submitting an alphabetical listing of Housing Authority employees, as of January 1, 1988.

Which were read, received and filed.

## UNFINISHED BUSINESS

### The Chair presents

No. 170 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto Council Bill No. 47 entitled, "Resolution instructing the City Solicitor and certain Directors to undertake certain activities in regard to contamination in the Allegheny River."

Which was read.

### (MAYOR'S VETO LETTER)

February 3, 1988

Honorable President and Members  
City Council  
City of Pittsburgh

Dear Madame President and Members:

I am returning as vetoed Council Bill 47 which instructs certain Directors to undertake certain activities in regard to contamination in the Allegheny River.

The actions that Council requested are reasonable, and I am sure that the Director of Water and the Water and Sewer Authority Board would undertake the actions if they were requested to do so. However, it is not within the powers of Council to order department heads to take any administrative action. Section 201 of the Pittsburgh Home Rule Charter provides that the Mayor is the chief executive and administrative officer of the City.

Accordingly, I am vetoing Council Bill 47, but I will ask the Departments to carry out the tasks you asked to be performed.

Very truly yours,

Richard S. Caliguiri  
Mayor

RSC:brc

(END OF LETTER)

### The Chair:

The question is, shall the bill become a law, notwithstanding the objections of the Mayor. Is there any discussion?

### Michelle Madoff:

My understanding is that the intent of the bill has been accomplished. The Mayor is, indeed, going to follow through with his department heads to accomplish the request in the resolution. And I understand the reason it was presented as a resolution instead of a wish of Council was that it was a rule that said you could only have three bills as introductory resolutions, as wills of Council. And I think the Mayor has agreed that he's going to do it in any event so the sponsor of the bill, I believe, was Mr. Ferlo has achieved what he set out to do; am I correct, Mr. Ferlo?

### Mr. Ferlo:

I don't have the floor but I don't think you're correct at all.

### Michelle Madoff:

Madam Chairman, when we get to the next bill on the veto, I would like to point out that you can't have it both ways and we'll talk about that at the next bill.

### The Chair:

Mr. Perry tells me that we have to have a motion first. So, the motion is, shall the bill become a law

notwithstanding the objections of the Mayor.

**Michelle Madoff:**

The motion is to sustain the Mayor's veto?

**The Chair:**

Shall the bill become a law notwithstanding. Those in favor of the bill becoming a law, notwithstanding the objections of the Mayor, will vote aye; those opposed, no.

**Michelle Madoff:**

I'm still not clear, Madam President.

**Mr. Ferio:**

The motion is to override the Mayor.

**Michelle Madoff:**

The motion is to override and you need a second in order to have a vote. Is that correct?

**The Chair:**

Yes.

**Michelle Madoff:**

I will second it but if you wish to sustain the Mayor's veto the you will vote aye?

**Mr. Pollock:**

No.

**Michelle Madoff:**

You vote no. If I wish to sustain the Mayor I vote no. Is that correct?

**The Chair:**

That's right.

**Michelle Madoff:**

Thank you. That's why we need legal counsel to tell us whether it's aye or no.

**The Chair:**

Those opposed to the Mayor's veto will vote no and those sustaining his veto will vote aye.

**Michelle Madoff:**

We just changed it again. You reversed it.

**The Chair:**

No to override and aye to sustain.

**Michelle Madoff:**

If you sustain the Mayor, you're going to vote aye.

**Mr. Perry:**

The motion is to override and that's what you're voting on. You're voting on whether to override his veto; that's the motion.

**The Chair:**

No to override and aye to sustain; is that clear?

**Mr. Perry:**

No.

**Mr. Lyons:**

Madam President, the motion was to override the veto. You would need a

yes to override it and a no to sustain the Mayor.

**Mr. Perry:**

That is correct.

**Mr. Ferlo:**

Discussion. First of all, if my understanding is correct, the motion is to override and if you support the override you would vote yes. Is that correct, Mr. Perry?

**Mr. Perry:**

That is correct.

**Mr. Ferlo:**

Thank you. On the actual motion, being the Councilman who introduced this originally, I think the Mayor is acting in haste here and, quite frankly, I think it's somewhat childish. I think in response to comments that I had during the past week on the minority business enterprise report and other criticisms that I've levied against administrative directors, I think it's clear that this has come forward as a veto in retaliation politically for some of my independent behavior for the last week.

I don't agree with Councilwoman Michelle Madoff and the reason why I think the Mayor is being childish in this regard is, if we're both concerned about upstream water contaminants into the Allegheny and if we're both concerned about cleaning up the river so we don't react after we have a catastrophe and environmental spill that we ought to be preventive as a municipality, if we are concerned mutually about the environmental and the ecological contamination of our water system, then I see no reason whatsoever for the Administration to have vetoed this bill.

The reason why I would please ask Councilmembers to override this veto is twofold. First of all, there are two sections of this bill; while it may be true, in fact, that the Mayor feels that we do not have the authority to direct his administrative department directors to clean up the rivers, what's the big deal? We're asking something to be done that is needed to be done. If the Administration agrees, then let them do it.

On the other point, we're asking the Solicitor who, according to the Home Rule Charter, is also our Solicitor, to file a specific concern with the Environmental Protection Agency and requesting an inventory of upstream contamination threats to our drinking water in the Allegheny. We are asking and instructing the Solicitor to file some legal communication to this governmental agency so that we can find out what the DER is doing about the upstream contaminants and we can take some course of action. If this is not overridden today, I will not be able to reintroduce this concern in this year that Council will be meeting and I will have to wait until the following year.

So, please, Council, if you agree, as the Mayor does, that he is concerned about the rivers and you will have the department directors do the on-site water testing, then so be it. But if you're concerned that the Solicitor act on our behalf, the municipality, then follow the information with the DER. I hope you that you would please consider overriding the Mayor's veto. Thank you, Madam President.

**Mr. Wagner:**

Madam President and members of Council, my question gets back to a question of procedure here because looking at the letter that the Mayor sent to all members of Council, he is

indicating in that letter, and I'll read the paragraph, two paragraphs:

"I am returning, as vetoed, Council Bill 47 which instructs certain directors to undertake certain activities in regard to contamination in the Allegheny River.

The actions that Council requested are reasonable and I am sure the Director of Water and the Water and Sewer Authority Board would undertake the actions if they were requested to do so. However, it is not within the powers of Council to order department heads to take any administrative action. Section 201 of the Home Rule Charter provides that the Mayor is the chief executive and administrative officer of the City."

Therefore, he is concluding that that should be done but it should not be a formal action of Council.

Basically, I think what is being suggested here is, even if the votes are here to override, the Mayor is saying it is not within the confines of Council to be suggesting that this be done. I should rephrase that; not suggesting, mandating, that this be done. Somehow, I would like us to achieve our goal here because I think the goal is a very deserving goal and we should proceed in this manner and I certainly will let the people in the Water and Sewer Authority know of this resolution. But I would like to see it accomplished in harmony somehow. In other words, if the Mayor is saying yes, we will do it, and this ordinance is not proper, maybe we should be presenting it in a different fashion, maybe with a non-binding resolution as a will of Council rather than a formal resolution. That gets back to my original point; even if the veto were overridden, the Administration, according to his letter, is not mandated to act, but they certainly appear to be very receptive to act. So, I would not want us to get into a

battle on this one with the Administration; I would just rather them do it. And however we can achieve that without having the veto, let's do that.

**Michelle Madoff:**

Madam President, I think you're going to say what I'm about to say; there is a veto. The purpose of the Mayor's veto is, he is saying to us that he has certain rights and we have certain rights. And one of his prerogatives is to be an administrator and we are the legislative body, he is the administrative body, and he is saying to us that we cannot order his department heads to do things. But you left out the third paragraph which is the most important, which says, "Accordingly, I am vetoing Council Bill 47, but I will ask the department to carry out the tasks you ask to be performed." In other words, he is agreeing that this is the very important issue. He's not begging the issue; he's going to do it. Everything in the request will be directed to his people but he's saying that we don't have the prerogative of ordering his department heads, and we'll get to that in the next bill. But if that is his position and he's already said he is going to do what was requested in this bill and we've already had lengthy dialogue, I think all we have to do is sustain his veto and get on with the fact that we want it and he is going to do it. We don't need to present it in another form. When someone acquiesces and says they're going to give you a loaf of bread, you don't need to have a resolution asking for a loaf of bread. Or, as someone said, you can't take yes for an answer.

**Mr. Ferlo:**

My only other point is that, in the past, there have been communiques to the Solicitor to do various things. I am reminded of the Alcosan interpretation

requested by Councilmember Wagner. I think Michelle, probably in the past, on many, many occasions has asked the Solicitor and various department directors to do things. So, it's with that concern, cooperation is a two-way street and I hope that, obviously, this will not win in override but I hope the Mayor and the Administration is being sincere when they say that they share our concern about the upstream water contaminants. I still maintain my earlier concern that it's not a big deal and he should do it.

**Mr. Wagner:**

Finally, I'd like to say I think it's simply a matter of procedure here. The Mayor has indicated that he will move forward with it. I would suggest, obviously, the votes are not here to override the veto, I am personally not going to vote to override it but at the end of the Council meeting I would suggest that we present the same resolution as a non-binding resolution and send it to the Administration.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

**Mr. Ferlo**

**AYES 1                      NOES 6**

**VOTING NO:**

**Mr. Coyne**

**Mr. Lyons**

**Michelle Madoff**

**Mr. Pollock**

**Mr. Wagner**

**Mrs. Masloff**

**(Pres't)**

And there not being two-thirds of the votes of Council in the affirmative, the motion was defeated.

**The Chair presents**

No. 171 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto Council Bill No's. 75 and 76 entitled, "Resolutions amending the budget by adding as an employee a legal advisor, and appropriating additional funds from the Social Security fund."

Which was read.

**(MAYOR'S VETO LETTER)**

February 3, 1988

Honorable President and Members  
City Council  
City of Pittsburgh

Dear Madame President and Members:

I am returning as vetoed Council Bills 75 and 76 which amend the budget by adding as an employee a legal advisor, as well as appropriating additional funds from the Social Security fund.

In a time of diminishing City resources, the expenditure of \$40,000.00 for a legal advisor, as well as the inevitable attendant staff and support costs, is excessive. It is not my intention to deny Council access to independent legal advice, but I believe that a full-time staff position is inappropriate.

Very truly yours,

Richard S. Caliguiri

(END OF LETTER)

**Mr. Lyons:**

Madam President, I move that we sustain the Mayor's veto.

**Mr. Pollock** seconded the motion.

**Michelle Madoff:**

Discussion. I think it's very interesting that the Mayor wants to keep his prerogatives and I am grateful that he agrees in principle with the motion before us in the previous bill and has indeed given us a yes answer without having to be ordered to do it, and can't be ordered to do it. My concern is that he agrees that Council can have its own legal counsel and he says, "It is not my intention to deny Council access to independent legal counsel, but I believe that a full-time staff position is inappropriate."

Let me refresh everybody's memory. My initial bill was to have a consultant; I had amended my bill to have a consultant for the exact reasons that the Mayor is expounding and those that Mr. Pollock and others have stated, that with economic times ahead, there was no reason to put a \$40,000 expenditure that would require the benefits and the supporting staff and perhaps could grow. I also felt that perhaps it should be a lawfirm because a lawfirm has broad legal knowledge as opposed to very focused information.

I voted to allow my bill to be amended again for a legal counsel full-time at \$40,000 because there were only five votes. If we didn't amend it to say full-time legal counsel, if I didn't go

along with that, there would no legal counsel advising this body. I really had no choice; it was that or nothing.

I think it would be appropriate to proceed with the original bill. I'm afraid we're going to have to vote according to procedure on the Mayor's veto and then, again, perhaps since we didn't win this one, in the case of the water litany and doing the review of the Ashland Oil spill, the Mayor has agreed to do it but he has not agreed to allow us to have legal counsel that is full-time, but it is not his intention to prohibit us from having an attorney, that we proceed with the original motion, my original bill, which is to have legal counsel as a consultant as opposed to not having any legal counsel. That will show whether this Council is wanting to engage in snitfits, political snitfits with the Mayor, or whether we really want to be professional.

It doesn't matter to me whether we have a full-time legal counsel or whether we have a consultant, and it does matter in the sense of the economic factors. But I believe we need to have some kind of independent person here assigned to us. When I say independent, I don't mean independent in that they're going to take on the Administration because, frankly, our legal counsel cannot go to court on anything substantive. But what they will be here for is to guide us on issues such as the ones we're having right now; we don't know whether aye means nay and nay means aye in the veto. We'd have somebody standing telling us, not having to rely on Mike Perry all the time. We'd have somebody helping us in the phrasing of the bill, to say, "Michelle, when you're introducing a bill to have legal counsel and it's going to be full-time, do you know what this could mean?" so that I may have had the bill he'd introduced it another time until we could get enough support to have a lawyer who would indeed be a consultant and not



have the debt that would be extra costs that would be attributed to having a full-time on-staff person.

It seems to me that there was a great deal of sentiment. I think Councilwoman Masloff expressed interest, and so did Mark Pollock, in supporting legal counsel if it was on a consulting basis, but we were so adamant, never thinking the Mayor would veto the bill, thinking \$40,000 was not significant.

Well, now that he is vetoing, and he has that prerogative, and I don't think there are enough votes to override his veto, I'm disappointed that he did that but, on the other hand, I want somebody here, whether it's one of the 17 attorneys assigned to the City, one of them assigned to Council and the Mayor's staff. We asked Mr. Pellegrini and he said no, he would not assign one person to us. I think his reasoning is that he has a broad spectrum of expertise through the whole Law Department and would have us use the entire Law Department, but it's not somebody here all the time when we need information.

And I think probably the most important thing is, again, I want to be very, very clear, the only way that we can hope to get any legal counsel, an attorney for this body, is to have a consultant. The Mayor is not opposed to our having legal counsel or independent, if it's a consultant firm. He is opposed to the potential of hiring a full-time person and the staff that that might grow to need in time. I don't think there are enough votes to sustain this bill and we'll end up with nothing.

My concern, if I may finish, is that the most glaring example, and I cannot believe what I read in the editorial in the Press, I think they didn't have all the facts, the fact that was missing was the

fact that Mr. Wagner, last June, tried to get an opinion as to whether the Mayor had the authority to appoint members to Alcosan and therefore has the authority to remove. He wasn't given the information by our Law Department because it is a rule that in order to get a legal opinion it has to be requested by the body, and the body meaning five members of this Council. Now, Mr. Wagner could have gotten five members of this Council to make that request, but nobody even went back to him and said, "Mr. Wagner, the reason we're not answering your request is that you have to have a letter come from the body, therefore, five members." Now, we're talking about June, July, August, September, October, November, December, January; for eight months we did not have a legal counsel --

#### **The Chair:**

Michelle, stick to the issue before us.

#### **Michelle Madoff:**

I'm sorry, Madam President, that is the issue. The issue is that we need legal counsel. The Mayor is saying he does not object to our having legal counsel; he said so in his veto. He said, again, "It is not my intention to deny Council access to independent legal advice but I believe a full-time staff position is inappropriate."

I'm then suggesting that we go to a consultant as soon as we deal with this veto or at the appropriate time.

#### **Mr. Lyons:**

Madam President, I am informed that the form of my motion should be amended to read that the Mayor's veto be overridden, not sustained.

**Mr. Coyne:**

Madam President, I disagree with Councilwoman Madoff. I don't see anywhere here where the Mayor suggests in any manner that he would agree to have a consultant for an attorney for Council. I see where it says, "It's not my intention to deny Council access to independent legal advice", but I don't see anything where it says, "But I would agree to the fact that Council could have an on-going consultant basis." I don't read that in there. And I do believe that if you do see that in there, you're reading something that isn't there.

I believe that too often this Council has been the butt of jokes. I believe that too often the Administration has used City Council's not having a legal person here to their advantage and to our disadvantage. I believe that in a time where people in the Administration are receiving bonuses and are getting extra amounts in their pay, that City Council deserves to have a professional legal person on staff and I would ask members of Council to override the Mayor's veto on that point. Thank you.

**Mr. Ferlo:**

Madam President, I concur with Councilmember Coyne. As far as I'm concerned, this letter from the Mayor is both ludicrous as well as laughable. The fact of the matter is that the Administration, from a financial point of view, is financially run amok. We have an Administration, this past week alone I raised criticisms about spending \$36 a book on which something that amounts to nothing more than a political publicity piece for the Administration on the MBE program. It's over \$12,000.

The Administration, who was upset about the fire arbitration award, allowed \$80,000 in bonuses for top administrators

regardless of the issue of the merit pay increase. This administration spent over \$250,000 for department directors' automobiles. It spends \$50,000 for car phones. It allots \$370,000 for city travel which amounts to basically funds for those employees who would like to travel around the country at great expense. We have a department director who spends \$14,000 on art pieces for his wall. We have an Administration, quite frankly, that has issued several million dollars a year in consultant contracts which are nothing more than political plums for those people who contribute heavily to his political aspirations. We have an Administration that has allowed \$36,000 in gas credit cards for people to float around the City so that they don't have to go to the gas pumps on 29th Street. With this kind of amount of money being allowed by this Administration, I find it laughable that the Administration is concerned about \$40,000 for this independent legislative body to act on it's own and have its own independent legal advisor.

I think it's important that we override the Mayor's veto; it's very clear that this has nothing to do with City finances in amount of money. It has to do with politics; it has to do with whether the Administration wants this Council to be independent. And if Councilmembers refuse to override this, I question whether or not they seriously review their own responsibility and role here as a legislator and as an individual to be independent. It has nothing to do with finance; it has everything to do with the Mayor not wanting this Council and this new Council to be independent and to make the kind of contribution I think we go elected to make.

**Michelle Madoff:**

Madam President, you are aware, having been here as long as I have been

here, that I have introduced a bill for a legal counsel at least four times and went to court on a 5-4 vote to get some help, both a fiscal advisor and legal counsel. It is apparent that we don't have the votes to override. If the five of us were to vote, it's not enough votes. You need six and there are not six votes in this body, that if know of. If anybody knows of any other vote, I'd like them to share it with me. Since we cannot get that, I don't think we should cut off our noses to spite our faces. Therefore, we get an attorney that is a consultant as opposed to no attorney that can still be independent because we hired them from a law firm.

**Mr. Wagner:**

Madam President and members of Council, I've also supported this bill and a similar bill at least twice before because a bill can come up within one legislative session. The bill gets back to the basic concepts of the Charter. There are three branches of government in this City, the Mayor representing the Administration, Council the Legislative body, and the Controller. The Mayor has 17 lawyers on his staff; the Controller has a lawyer. Council has none. In order for this body to be respected as a professional body, of which it is not today, it must bring professionalism into it. Every borough surrounding and part of Allegheny County with a City Council has a solicitor or a lawyer. This municipality, the largest in Allegheny County, does not. It's a basic ingredient that's necessary to professionalize this body. When the makers of the Charter put the Charter together, they gave us that opportunity. The specifically indicated in the Charter that Council has the right to hire its own solicitor. This, I believe, is a councilmatic situation, it's a councilmatic action.

The Administration's position here,

I don't believe, is that important. Even though the Mayor has the right to veto, he is doing it for budgetary reasons. I can't blame him for doing it for budgetary reasons. I can blame Council, though, for not unanimously, 100 percent across the board, supporting this bill. All this bill can do is to professionalize this Council. It can do nothing else but that. And I can state numerous examples whereas if this Council had its own legal advisor, we would have saved this City a lot of embarrassment and a lot of dollars. One good example, ARC House. Some members of Council were not here when ARC House came up. Council denied permit to ARC House; ARC House took City Council to court and the City had to pay \$50,000 lump sum to ARC House plus all the legal fees involved in that whole court action.

It would be very difficult for this body to disagree with its own solicitor, with its own lawyer. We have none; we've never had one. When are we ever going to upgrade ourselves and professionalize ourselves? I truly believe that we have to do that today. This is not a conflict with the Administration; this is whether or not Council itself, within itself, wants to do something to professionalize itself. That's what this issue is; that's all it is. I can't see how this vote cannot be unanimous on this Council.

**Michelle Madoff:**

I have introduced this bill in exactly the same language that was just used by my colleague, Mr. Wagner. We need to professionalize Council by having an attorney, our own, for all the reasons that he's given, and every reason that has been given at this table. But I'm trying to get this Council to deal with reality. The reality is that we don't have enough votes to override the Mayor's veto.

I will support my bill simply because I made the bill and I voted for it previously. But what happens when we lose? Are we going to say we're going to punish ourselves and not go out to independent counsel as a consulting firm? The Mayor's not saying we can't do that. One of my colleagues said he doesn't say that we can, but he doesn't say we can't. My interpretation of what he is saying is he's only opposed to full-time and a full-time staff position; he's not opposed to having a consultant as a legal advisor to this body for the same \$40,000 because it then does not appear that it would grow.

What I'm trying to address here, in case it got lost here in all this rhetoric, is that obviously I introduced the bill because I believe we need legal counsel. Mr. Wagner has introduced the bill. I've introduced it for years for the same reason that we need to professionalize this body; we need the help. But if we lose it, what are we going to say; it's the Mayor's fault? Or are we going to be professionals and say, alright, we couldn't get full-time, we're not going to go out for a consultant where we don't have the supportive staff and have something.

That's what the issue is here; we're going to lose it. We're going to vote for our own bills. There will be five votes and we've lost the veto. What do we do then?

**Mr. Pollock:**

Call the question, Madam President.

**The Chair:**

We are now voting on the Mayor's veto on Council Bills 75 and 76. To override the Mayor's veto, you will vote aye.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|           |                 |
|-----------|-----------------|
| Mr. Coyne | Michelle Madoff |
| Mr. Ferlo | Mr. Wagner      |

|        |        |
|--------|--------|
| AYES 4 | NOES 3 |
|--------|--------|

VOTING NO:

|             |              |
|-------------|--------------|
| Mr. Lyons   | Mrs. Masloff |
| Mr. Pollock | (Pres't)     |

And there not being two-thirds of the votes of Council in the affirmative, the motion was defeated.

#### REPORTS OF COMMITTEES

**Mr. Pollock presented**

Bill No. 172

Report of the Committee on Finance for February 3, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 73

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Humphrey, Herbert, and Alber in the amount of \$11,842.16 for payment for work related to the production of the MBE/WBE 1986 Annual Report, furnished for the benefit of the City without

previous authority of law; and providing for the payment thereof."

Which was read.

**Mr. Ferlo:**

Madam President, on Bill No. 73, the much talked about \$36 publicity document of the Administration, I wish to make it clear that I'm voting no on the for the lengthy discussion that took place last week, and I would ask that those people who voted no last week, please vote no here today also.

**Mr. Coyne:**

Madam President, like Councilman Ferlo I also am going to vote no on Bill No. 73. The thing that really bothers me about the bill is that the folks went out and spent the money and came to us, an afterthought, asking for authorization to do so. I think that proper procedure should be now and in the future to come to Council with plans and ideas on how they plan to spend money and to see if it's something that we're going to support in the future.

I, like Mr. Ferlo, have several questions about the book, including its contents and the company that was used to do the study.

**Mr. Ferlo:**

Mr. Perry, no last minute lobbying on this bill, if that's what you're doing.

**Mr. Perry:**

I'm not lobbying; I'm informing the President that we need six votes to pass this bill.

**Mr. Ferlo:**

I understand that.

**Mr. Lyons:**

Madam President, what we had pointed out at the time, this is the procedure of the City, to make the debt and then come to Council for payment. That's the procedure that is used by all departments, to go out and make the debt and come back and ask Council to sustain their efforts.

**The Chair:**

In some instances, yes, that's permissible.

**Mr. Ferlo:**

Is there a vote in motion?

**The Chair:**

We're discussing this bill.

**Mr. Pollock:**

I make the motion to recommit Bill No. 73.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Lyons       | Mr. Pollock  |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

|        |        |
|--------|--------|
| AYES 4 | NOES 3 |
|--------|--------|

(MR. COYNE, MR. FERLO AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Ferlo:**

Madam President, in the future I would ask that the City Clerk refrain from lobbying on this.

**The Chair:**

He wasn't lobbying.

**Mr. Ferlo:**

I think he was lobbying. I think it was clear the vote was going to take place; we should have had the vote today.

**Michelle Madoff:**

Point of order. Madam President, the reason I voted to put the bill back in Committee is that we need information as to whether we're going to be sued or whether, the question I had asked, whether Duquesne Light was going to be approached to pick up the difference, whether Duquesne Light has agreed to pick up the difference.

**Mr. Ferlo:**

Thank you, and if you remember, Madam President, I had asked that this bill be held a week ago for that very reason.

**The Chair:**

You're out of order. This bill has been recommitted.

Also,

**Bill No. 77**

A Resolution entitled, "Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with Public Hearing(s) and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 103**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of one thousand three hundred and seventy-six dollars and thirty-four cents (\$1,376.34) to return costs disallowed by the City and collected from its JTPA subrecipients in conjunction with the 1987 subrecipient audit."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 173

Report of the Committee on Public Works for February 3, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 83

A Resolution entitled, "Resolution granting unto Mr. Jerry Lebovitz, 109/111 Market Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an elevator and shaft in a portion of the sidewalk of Market Street in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 84

A Resolution entitled, "Resolution granting unto Charles Merlino, Samuel Fevig, Robert Saffron and Marie Good, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an off-street parking area on a portion of the Road right-of-way of Cherryland Street in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 85

A Resolution entitled, "Resolution granting unto Forbes and Allies Center, 3109 Forbes Avenue their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a parking area on a portion of the right-of-way of Maurice Street in the 4th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 174

Report of the Committee on General Services for February 3, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 13

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for consultation on 'Underground Storage Tank Management' at the City's Garage Facilities, Department of General Services, Bureau of Fleet Management, and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Madam President, on Bill 13, the \$60,000 for the consultant, as you know, I objected to that strenuously the other day and I have since made arrangements for a consultant to meet with Director Botsford on Wednesday morning, free, no charge, to give us some direction as to what to take. I notice she's very anxious to get on with this bill because we're in violation of the federal laws, the environmental laws, and we are subject to fine. But I really don't think that one week is going to make all that much difference and I would like to hold the

bill for one week.

**Mr. Pollock** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Lyons       | Mr. Pollock  |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 4 NOES 3

(MR. COYNE, MR. FERLO AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

Bill No. 14

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the direct purchase of natural gas for use by City facilities, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"



The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Lyons       | Mr. Wagner               |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 175

Report of the Committee on Parks and Recreation for February 3, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 43

A Resolution entitled, "Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation, and Finance, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with Bell Atlantic Mobile Systems, Inc. to allow installation of Mobile Telephone Equipment at 6720 Stanton Avenue in Highland Park, for a one (1) year period, with an option for two (2) additional years. The purpose of this installation is to guarantee telephone service throughout the Highland Park area."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                          |
|-----------------|--------------------------|
| Mr. Coyne       | Mr. Pollock              |
| Mr. Lyons       | Mr. Wagner               |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Wagner:**

Madam President, I would like to defer to Councilman Ferlo to present this resolution as a non-binding resolution to Council.

**Michelle Madoff:**

I think its unnecessary simply because the Mayor has already agreed; he has said yes. Why are we going to vote to embarrass the Mayor when he's agreed on it? The issue is to get the job done, not to fight amongst departments, amongst Council and the Mayor. He said yes, he will do it. Why are we going to have it as another motion? If you want to go through the format, I'll vote for it again, but it's silly.

**The Chair:**

I'll allow the resolution to be introduced and then we'll vote on it, whether or not we'll pass it as a non-binding resolution.

Mr. Ferlo, do you want to introduce the resolution?

**Mr. Ferlo:**

I move the resolution is a non-binding resolution.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

On another matter. I would like to get some help from the President of Council, and from the Finance Chairman if I have your permission, and from the City Clerk. It is apparent that we lost the battle to have our own legal counsel as a full-time job. Now it's time to find out where this body stands, whether we're really interested in being professionals, and whether the Mayor did mean, as I interpreted his letter to mean, that he has no objections to our having an independent counsel providing it doesn't increase the future budget allocation by having that person be a consultant.

Now, if I make it as a floor motion, and I think I have support on this Council from Mr. Pollock and yourself, Madam President, it would be a non-binding resolution and we need it to be binding. That's why I'm asking for direction; I believe there is a way of doing it from the floor but it is still binding and the Mayor could include it in his budget. He could prove to us that he's not opposed to our having our own counsel by allowing it to be in the budget, in the Mayor's

budget. This is the last week for us, is it not? Or are we past our deadline?

**Mr. Perry:**

We're past our deadline.

**Michelle Madoff:**

So now it's a matter of actually -- then it is a wish of Council because we're past the budget. Is that correct, Mr. Perry?

So, my motion would stand as it is, if I have a second, and we'll see whether my colleagues really and truly mean to professionalize this Council and we'll find out whether the Mayor really meant what he said, as I interpreted his letter, that he has no intention of stopping us from having a counsel, he just doesn't want it to be a full-time person, he wants it to be a consultant so that we will not expand the indebtedness of the City.

My motion is specific, that we have legal counsel, hired by this body, not to exceed \$40,000, to be a consultant, not a full-time legal counsel. Do I have a second on that?

**Mr. Pollock:**

Before seconding it, I don't know what the motion was but before clarifying what the motion was --

**Michelle Madoff:**

What do you mean you don't know? I was very specific.

**Mr. Pollock:**

If I can possibly paraphrase what I think Michelle is saying, and she can correct me if I'm wrong, it would not be a line item in the budget, a separate

code account, but it would come under professional services as the City Controller does. It's on a contractual basis for professional services as certain departments, including the Mayor's own office, does have professional services. We only have that line item and I know the amount of it was changed at the end of our budget and I forget the final figure -- \$10,000 is the final figure?

**Michelle Madoff:**

Excuse me. There's a companion bill.

**Mr. Pollock:**

As of right now, where the City stands now, the final budget approved by Council at the end of 1987, Mr. Perry says there's \$10,000 for professional services which we have the right to use for attorneys on a contractual basis. And in the two years I've been on Council, we have dipped into that fund on one occasion that I can recall to retain the law firm of Meyer, Unkovic and Scott to advise us on the Minority Set Aside Program which I believe was Michelle's bill which the Administration and Mr. Pellegrini did not support and felt was illegal. We had our own legal counsel who gave us an opinion saying it was legal and we paid that firm for its work.

We now have \$10,000 in there which we can use right now to retain outside counsel on a case by case basis, on an as needed basis, and the Mayor wouldn't have to do anything. But if Michelle feels that the \$10,000 is not sufficient, and she would like to ask the Mayor since he can do it and we cannot at this point, to increase the amount of that line item for professional services for Council, if she would give a specific amount, I would be happy to entertain supporting her on that. But I am trying

to clarify where she is coming from and if I'm inaccurate I would ask that you grant her the floor to correct what I said, if I'm inaccurate.

**Michelle Madoff:**

Before Mr. Pollock got to Council, you will recall, those of us who were here, some were here, I'm not sure, that we had a \$25,000 bill, I believe, for a consultant out of the same fund that was used for the vote on the Pirates. And then we had, I don't remember how much money it was on the consultant we hired on the Water and Sewer Authority; it was a substantive amount. And I believe there was a consultant on the plant closing legislation. So, the amount of \$10,000 would not be sufficient.

I'm asking that we use the \$10,000 and we ask the Mayor in good faith, in harmony and peace, to work together for the good of the public to help this Council to be more professional, to see if he means what I interpret his letter to mean, that he has no objection -- I repeat, it is not his intention to deny Council access to independent legal advice but it should not be a full-time staff position. I am therefore asking that we continue to request that we have our own legal counsel, it be a consultant, and the figure not exceed \$40,000. We have \$10,000. Ask the Mayor if he would please allow us to transfer \$30,000 from another code account to this account.

**The Chair:**

We'll still be spending \$40,000 --

**Michelle Madoff:**

That's not the Mayor's objection, Madam President. His objection was an objection you had and Mr. Pollock had, that we will need supportive staff, that it will grow to be many attorneys with

other people, paralegals, and that we would need staff and space and there would be two attorneys and three attorneys, and pretty soon Council would have the same number of attorneys that the Administration has, the difference being that the Administration's counsel goes to court and ours does not. I'm thinking, let's get something as opposed to nothing.

The budget, for all intents and purposes, is closed to Council. We do not have the option to open the budget. The Mayor does have that prerogative still; is that correct, Mr. Perry?

**Mr. Perry:**

That's correct.

**Michelle Madoff:**

Therefore, if we appeal to him in good faith, I think he will act in good faith. And I think the Mayor will allow us to transfer from one code account to another, the amount of \$30,000, which account he deems to be appropriate. We will then have \$40,000. We will go with my original bill which was to hire an independent consultant, legal firm, as opposed to one person only. And then we will have something as opposed to nothing.

Now, let's find out how this Council feels. Do we want to be professionals or do we not want to be professionals? The Mayor is basically supporting us but in a different way.

**Mr. Wagner:**

Madam President, there is no bill in front of us.

**Michelle Madoff:**

I made a floor motion and I have a

second, and floor motions are legal, is that right, Mr. Perry? I have a second to my floor motion. I am asking my colleagues to support the floor motion because we only have a week. I would hold it a week and I would have put it in writing --

**Mr. Perry:**

You can do this a month from now, two months from now, transfer money.

**Michelle Madoff:**

The Mayor's budget is not about to close?

**Mr. Perry:**

The transfer of funds you can do anytime.

**Michelle Madoff:**

You told me, if you recall, that Council only had until last week to close --

**Mr. Perry:**

To open the budget, right.

**Michelle Madoff:**

And the Mayor is going to close the budget when?

**Mr. Perry:**

He can take as long as he wants. He can open the budget any time he wants.

**Michelle Madoff:**

So that if you wish to submit this in writing, I have no problem with that as the wishes of my colleagues. But I think the intent -- There's no problem with the

floor motion to get intent and I would like to know what the intent of this Council is; do they really want to have legal counsel with the understanding that we cannot get enough votes for a private full-time consultant.

**Mr. Coyne:**

Now that I'm finally glad other Councilmembers are going to be given the opportunity to speak on this issue, I have no problem with Councilwoman Madoff's proposal here at all. But I do believe that any Councilmember who feels that in the Mayor's veto you see anywhere, any sign that the Mayor is encouraging City Council to have their own legal advisor, you're totally off base. I support you 100 percent on the idea and the principle but, for the record, I would like to state that the Mayor's Office, by his veto, is showing no encouragement to me, none that I possibly can see on his desire that we have a legal staff. Thank you.

**The Chair:**

Before we go ahead, we can transfer anything anytime we want from one account to another. If we went over our \$10,000 appropriation, we can appropriate anytime we wanted. So, I don't think it's necessary to do that at this moment. Let's use that \$10,000 for whatever we need and if we need further appropriation, we'll ask for it.

**Mr. Ferla:**

I agree with Michelle. It's just a question of when we need to fight this battle and I would like to fight it at a later time when we have Mr. Woods' vote on the need for legal counsel.

The other thing I would remind Councilmembers is that Mr. Woods had a bill previous to the introduction of the

resolution by Councilwoman Michelle Madoff on the need for the solicitor and that bill was to increase the professional consultation code account to, I think, \$40,000 from the \$10,000, excuse me, the \$60,000, and that is a motion that is still on the table. It presently has been tabled but I would suggest that we meet when Mr. Woods comes back and we untable that motion and do exactly what Michelle is saying.

But I think very clearly Mr. Coyne has eloquently stated the fact and the fact is, if we can wake up and smell the coffee, this is not a financial issue; this is an issue that the Mayor does not want this Council to have independent legal advisor. I'm not interested in the person from the Solicitor's Office any more than I would want the Congress to entertain Mr. Meese as their solicitor. We need independent counsel. I think it's clear the Mayor does not want us to have this and I would suggest that we untable, when Mr. Woods returns, his motion to increase the professional service code account. Thank you.

**Mr. Pollock:**

I think it's clear that we clarify exactly what would happen and everyone so far, as I interpret it, accurate on the facts. We can always increase this line item any time in the year if we exhaust the \$10,000. The \$10,000 that's in there for professional services can only be expended, though, by a majority vote of Council. In other words, a bill would have to be introduced to retain so and so law firm or so and so attorney to do work on this item. If the five votes are there to retain that attorney, then we can go into that code account or that line item to expend the money. So, any preliminary approval for increasing the amount would be meaningless without subsequent five votes by this Council to approve a specific, number one, desire to

retain an attorney on the certain issue and, number two, the actual firm or attorney delineated in the bill. Have I stated that correctly, Mr. Perry?

**Mr. Perry:**

Correct.

**The Chair:**

That's my understanding too.

**Mr. Lyons:**

Madam President, we're saying what the Mayor would do without knowing what he will do. The Council has their right to ask the Mayor to come in and let's have a meeting with the Mayor. I think from that point we can better determine the course that Council will take. I feel this would be the sensible thing to do. We're here guessing what the Mayor will do or what the Mayor won't do. And I feel since Council, since the Home Rule Charter gives Council the right to ask the Mayor to come in, then we should do that, and we'll have his answers without any further guessing. I feel that that should be the next order of business so we can determine the course which we'll take in the future in regards to counsel.

**Michelle Madoff:**

Madam President, it appears to me from a quick count that we have six votes at least to hire an independent counsel consultant, not a full-time person. There's a difference of interpretation between my esteemed colleague, Mr. Coyne and myself. He believes that the Mayor's letter says he's opposing our having an attorney; I believe he's opposing our having an attorney that is full-time but not one that would be a \$40,000 attorney as a consultant to this Council. We will find

out by virtue of having the bill introduced and seeing if the Mayor will allow the majority of Council to have its will, since I believe that that is his intention. The thing I'm a little bit concerned about is a misunderstanding between your position and mine, and that's, respectfully, that you are saying we have \$10,000 and we can go out and hire as needed. That's what we don't want to do again. We don't want to be caught 20 minutes before a vote and say quick, we have to go out and get a consultant. Even the consultants we hired on the Pirates were after six weeks of hell. The consultant we hired on the Water and Sewer Authority where at the last minute we had to fly somebody in, zip, and we didn't even have time to really get the proper input.

I think we need to go out and hire counsel the same way that the Controller's Office does. They used to pay forty; they're now paying sixty-five but they're getting a thousand and they're getting something like \$200,000 worth of work. I think law firms have a tendency to want to return a little bit of what they earn out of the City by being good neighbors, being good citizens, and being helpful.

I think that when the President of Council appoints a committee, I would not be on that Committee. I just don't want to be on it; it would not be a good idea. I'm sure that I would trust whomever the Committee chose provided it was not someone who had represented anyone, a person assigned to us from that firm who had represented any of us in litigation of any sort. But in the general concept, it seems to be that I've made my point, I've won my victory. There are six votes here already, I don't know Mr. Wagner's vote, to have a consultant as opposed to a full-time attorney. So, on the basis of that, I'm willing to have the bill drafted in its proper form, but I

would ask that the President of Council meet with the Mayor to clarify the meaning of his veto. My interpretation is that he is not opposed to our having it, as he has stated. Mr. Coyne's interpretation is that he is. And perhaps the President of Council could find out from what code account the Mayor would be willing to shift the \$30,000 for the consulting attorney.

**The Chair:**

I think you would have to prepare that motion, put it in writing, and present it to us at the next meeting. This issue is now closed.

**Mr. Wagner:**

Madam President, we have a public hearing tomorrow, I believe, on the Troy Hill Fire Hall and I know Public Safety personnel have been invited to the meeting. Because this is more of a Construction and a Planning project than a Public Safety project, Public Safety decision, it involves more of a budgetary in Planning, I would like the appropriate people from those departments —

**The Chair:**

Who, specifically, do you want?

**Mr. Wagner:**

Someone from the budget staff, someone from the Planning Department, possibly someone from Engineering and Construction.

**Mr. Ferlo:**

I have several other matters unrelated to this, and I concur with Mr. Wagner, but, members of Council, on Thursday we'll begin discussion on several bills that I have submitted last week. First, I have proposed that we

rescind the swimming pool user fees which were approved by the last City Council. These fees amount to a tax increase for the families who use our swimming pools and, further, it's in no one's interest, I feel, to have low income kids locked out of recreational facilities this summer.

**Michelle Madoff:**

That's coming up on Wednesday, Madam President.

**Mr. Ferlo:**

I want to introduce the discussion, Madam President. While I'm against the swimming pool fees, I'm not insensitive to the financial necessity of maintaining our swimming pools. For that reason, I've introduced two bills which will more than compensate for the loss of these fees. I propose that the City sell asphalt to local municipalities outside the City of Pittsburgh. These sales will produce about a half million dollars in additional income to the City.

I've also proposed that \$100,000 be moved into the pool repair fund from the funds which the Administration has used for out of town travel. As I have commented in the past, in 1980 the City spent about \$87,000 on out of town travel and last year alone the total was over \$360,000. That's an increase of over 450 percent. I think the situation is out of control.

Members of Council, I'm asking that we put a limit on these travel expenditures and in that sense we will be making a value judgment on whether its more important to fund seemingly unlimited travel or to keep our pools available to the citizens who paid for them.

The reason I'm speaking about this

now, prior to Thursday's discussion, I hope that members of Council will be available during the week for me to talk to them further about these several bills that I will be bringing before you on Thursday.

On two other matters, Madam President. I would like to win support here today from my colleagues on Council to send a communication to the Administration regarding what I think is a very unfair situation, and that is the negotiated contract which has yet to be signed for the foremen's union. These are individuals, as we know, who are the front line supervisors over our work crews in various departments. I think it's very clear from the in service session that we had with Mr. Schneider that these men and women have been singled out, unlike any other group of City workers, for what I would consider very unfair treatment, and that is that they, unlike any other City employee, are being asked to pay for the amount of their health care coverage that is in excess of the lowest available care. I think that's an unfair situation. I think it was clear, from what I understand of the situation, that there was bargaining in bad faith on the part of individuals, including Mr. Schneider, and I think we on Council should express our concern and support for these men and women. I think we should communicate to the Administration.

It's my understanding that this contract has not been signed and that all that has to happen is a willingness on the part of the Administration to reconsider their position. The union is willing to reopen the negotiation and discuss this issue because, unfortunately, a number of the members were not aware of what they were giving up and they were led down the primrose path by Mr. Schneider.

I know a number of Councilmembers participated in the session, along with myself, and at this time I would like to make a motion that the members of City Council pass a resolution in support of the foremen's union expressing their concern on this contract issue, communicating to his honor, the Mayor, and the Administration their willingness to reopen and rediscuss this contract.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

May I just clarify?

**Mr. Ferlo:**

It's a letter to the Administration showing our sympathy and concern for this group of workers in the City and asking the Administration to reopen and reconsider their position on this contract issue regarding the health care coverage.

**The Chair:**

There's no question, anybody can write a letter, but if you want us to write one, we'll write one.

**Mr. Ferlo:**

I'd like a will of Council on this.

**The Chair:**

Fine. We'll write the letter. Mike, will you see that that letter goes out?

**Mr. Ferlo:**

In closing, and then I'll yield the floor to Michelle, and maybe Michelle wants to talk about this, but there are a lot of concerns and misinformation on the issue of the 911 situation. I realize Michelle may want to talk about it now.



and I welcome that discussion, but I'm a little bit confused about conflicting reports I have read. I'm also a little bit alarmed that individuals in the Department of Public Safety are being accused of inappropriately handling their job duties and my limited understanding of the information is that that has not been the case and I think they're getting an unfair rap.

I think it necessitates a discussion by this City Council. I've been criticized in the past for conducting post agenda sessions but on this matter I would hope that the Council President would want to bring the parties involved, Public Safety, representatives from the Mayor's Office, forward so that we can have a discussion on exactly what took place.

So, I am requesting, and I'm not trying to limit the discussion here, that we bring parties before Council in a post agenda session or whatever format appropriately is convened by the President on the issue of the 911 situation.

**The Chair:**

Since that issue is before us at the moment, I'll ask for a post agenda this Thursday.

**Mr. Ferlo:**

Thank you, Madam President.

**Michelle Madoff:**

Madam President, may I just request that that not be a post agenda but that it be changed to a hearing because if it's a post agenda it will not be televised and the public will not be privy to that information. I can tell you from personal experience that the media is very, very concerned. The public is up in arms; it's on the lips of everybody,

discussion groups. Everywhere you go, you hear people talk about the woman who was raped while the police were there and we're now hearing about the person who wasn't saved because the paramedics didn't know where the address was.

I think it's really a very simple issue. I think what happened is that we don't have professionals taking the messages or there's a communication gap in translating the information to the dispatcher. I believe we have, what is it, 43,000 or 73,000 calls a year. It is an aberration; it is not the usual thing but when you hear about it it sounds terrible and it certainly is terrible to the victim.

But I think, and believe, I have talked to the Safety Directors and many people in that department, they're working feverishly to try to correct this problem and working with the police officers and the paramedics to prevent this kind of incident from happening again, finding out what the problem is, having a procedure that will eliminate this from happening repeatedly. And if there's going to be a discussion, it should be done in public so the public can know what's happening. However, if it is the will of the President of this Council that she set up a meeting with the Safety Department so we know what has happened, I personally would like to hear the two tapes myself. I'd like to hear the tape and I would like to know exactly what happened between the time the person took the message and the dispatcher, whether they're one in the same, whether there was somebody else, and how the error was made. And again, on the paramedics, I'd like to hear the tape and whether instructions went out giving directions to go to the house. They were looking at a map as opposed to being told exactly where the house was.

**The Chair:**

We'll let them tell us that.

**Michelle Madoff:**

I don't want to have a kangaroo court and condemn people when they handle 73,000 calls correctly and have two that go awry. But I don't think that we can let this issue go by; I think there's too much public concern for it. And how you choose to deal with it will be acceptable to me, a post agenda or a hearing.

**The Chair:**

I hesitated at setting a hearing because practically all the days are taken with hearings for the next couple of weeks. So, I'm going to set a post agenda for this Thursday.

**Michelle Madoff:**

I'm only saying instead of calling it a post, call it a hearing. Just change the name and if you do that — Oh, there's not enough time to advertise, is that it? Why don't we do it the following Wednesday as a hearing right after session? It should be very brief; it would be 20 minutes.

**The Chair:**

You never know how long it will take. We'll have a post agenda this Thursday on that matter.

**Mr. Wagner:**

On 911, Madam President. As Chairman of Public Safety, the two incidents that occurred within the last week have been very unfortunate. The first incident last week in regard to the rape victim, I want all members of Council and the public to know that

Director Cannon has indicated that a report will be completed within the next couple days indicating whatever problems occurred during that particular incident. They are now performing an internal investigation and they will definitely have that information available by week's end.

The other unfortunate that occurred yesterday, they know what the problem was. The problem was obviously not finding the location, the people in that particular vehicle, and the proper management procedures will be taken to correct that.

I would also like to say, though, in regard to 911, and I think this is very important, that there is a problem at 911 and it's a very serious problem. I have discussed this with Director Cannon and also Deputy Director DiNardo. The public is under the impression that the proper number to call for just about anything in this City is 255-INFO. What the public doesn't realize is, when you dial the number 255-INFO, you are calling the 911 system and you are further obligating an emergency telephone system in the City of Pittsburgh.

We don't have 73,000 calls a year; we have 750,000 calls a year to 911 and 255-INFO. I have asked the Director that something has to be done with this and done soon. We have people that have been trained as emergency operators that are serving as information operators for all general city services. That has to stop and it has to stop immediately. We have a 911 system that is there specifically and only for emergencies. We have approximately six operators working at any time and they cannot be handing out general information about the City. We have a Mayor's Service Center in the City of Pittsburgh; on any general information or any general

problem in regard to the City of Pittsburgh, the proper number to call is the Mayor's Service Center. They are fully staffed and they will let the appropriate department know what the problem is in regard to any situation.

When it relates to an emergency, an emergency dealing with paramedics, fire and police, the proper number to call is 911. That number should only be called when there is an emergency. The 255-INFO number is obligating the 911 system and, in my opinion, should no longer be used.

**The Chair:**

I didn't know that. I thought that was the whole purpose of 255-INFO, so that 911 would be able to get the emergencies.

**Mr. Wagner:**

255-INFO is answered by 911 operators and this has to stop. I have asked Director Cannon to correct that situation as soon as possible. He can take the 255-INFO number and put it in the Mayor's Service Center; he can do whatever is necessary. But I ask the public, and I am asking everyone, to call the Mayor's Service Center for general information in regard to this City. Do not call 255-INFO; that is the 911 emergency line system. We have people that are operators that are taking and giving the wrong information while other people are trying to get into the emergency line system and they are being put on hold or no one is answering the phone.

So please, everyone, don't use the 255-INFO number; use the Mayor's Service Center number or use 911 for emergencies only.

**Michelle Madoff:**

On the same subject, Madam President. I think it's inappropriate to throw the baby out with the bath water. The purpose of the 255-INFO number was to not tie up 911. It was not until after this Council approved and supported that effort on my part, which was my legislation, and we obtained that number from Bell Telephone Company and from Westinghouse who gave up that number. We found out subsequently that the Public Safety Department was using 911 to answer that line and their justification, Mr. Wagner, was the fact that they're going to answer 911 first of all, but what Mr. Wagner said was very obvious, if you're already on a line, you're tying up a line.

Instead of throwing the baby out with the bath water and instead of taking 255-INFO out of operation, which is really the Mayor's Service Center which closes at 4:00 or 4:30 and then there's no one answering it, so people call up at night when they get home from work and their garbage hasn't been picked up and say, "My garbage hasn't been picked up, 911" or "There's a dog out here, 911", tying up the emergency lines. People must understand that 911 is crime in progress and the victim could be you. It could be any one of us. So, what we need to do is to make sure that the Administration provides dollars for an answering machine for 255-INFO or a person for 255-INFO or persons to answer that number 24 hours a day, 7 days a week, or has a call answering machine on it, or an answering service, so that it's taken out of 911 which is the intention of the Public Safety Department according to the Director who spoke to me personally, all three people from that department, that at the end of this year there would be budgetary considerations and monies put aside for the 255-INFO to give what it

says - info. Info meaning where to get your cage for your raccoon, where to pick up some papers in the City if your neighbors are giving you a problem, if there's a tree on your property, if your garbage hasn't been picked up, not to tie up 911.

The villain is not Michelle Madoff who introduced a bill to get those calls off of 911. The proper procedure would be to get the monies allocated to deal with that line or to hire an answering service. Other people use answering services; for example, Cable uses an answering service. I don't know that it's adequate when somebody wants to call in if their cable isn't working, they call a number and that number is an answering service.

So, there's more than one way to achieve an objective but I think it's unfortunate that someone in the Safety Department, excuse me, a member of Council, Mr. Wagner, would say, "We have to stop using 255-INFO." I think what we have to do is start having that Mayor's Service Center as a separate entity, answered as a separate entity, and today put on a call machine you can pick up for \$100, and have the calls on 255-INFO going into that machine which would say, "This is the Mayor's Service Center; that information will be available to you tomorrow. Do not tie up 911 unless it's an emergency."

I think it's unfortunate that if you don't have 255-INFO, everybody who doesn't understand will call and will continue to call. If there's a dying dog in the street - 911. My garbage hasn't been picked up - 911. It's human nature; we cannot change human nature. What I tried to do was provide an alternative and I would hope that Council would support that.

#### Mr. Perlo:

First of all, this information that's being discussed now, if it is accurate both on the part of Mr. Wagner as well as Councilmember Madoff, is very alarming. If it is true that the 255-INFO phones are being answered by the professional emergency trained staff of the 911 system, and if that is accurate and I don't know, that's one of the reasons why it's good that we're having a post agenda, but I think this information is very alarming and I can't believe it's happening. If that is the case, then I think the 255-INFO system should be immediately disconnected, period, until such time that this thing is discussed because, in fact, what is happening, and I agree with the intent of what Michelle initially introduced and I applaud her for that effort, but what is happening is that with that line we are greatly increasing the likelihood that people are flooding those lines regardless of the merits of their complaint or concern with City services. And if the people answering anyway are the 911 emergency personnel, then we have compounded the problem. And if this is the case, I think we should be prepared to take immediate action to have that 255-INFO disconnected immediately. It's a crazy situation that we have these 911 Public Safety personnel trying to answer questions in the middle of the night about garbage and refuse and raccoon cages when they should be answering calls that have been talked about earlier. If that is the case, Madam President, I think it's outrageous that we haven't called for the immediate disconnection of that system until such time that there's proper staffing.

#### The Chair:

We'll discuss it with Mr. Cannon at the Thursday post agenda and then decide what action we want to take.

**Mr. Coyne:**

Madam President, I'd just like to concur with Mr. Wagner and Mr. Ferlo. The idea of the 255-INFO system sounds very good but I think until these questions are answered, I would recommend also that it be taken out of service until we can find out who really is answering the phones down there and if they are emergency personnel, then I don't think that they're doing something that they should be doing.

**Michelle Madoff:**

Madam President, I think that everybody is on the right track; everybody is showing their concern to service the public. But, again, it's the prerogative of the Administration and we are not the Administration. And in this case I would say it's unfortunate because it was my understanding when this bill passed that 255-INFO would be the Mayor's Service Center; it would be the number that would be answered in the evening by other people. I did not find out until we approved it in this Council that indeed it was being picked up by 911. But may I point out to my colleagues who are very bright, or they wouldn't have been elected, right, that prior to the 255-INFO number people were calling 911 for their raccoon cages and were calling 911 for their garbage and calling 911 for everything after 4:30 when they got home and the Mayor's Service Center closes at 4:30. People don't know that so they call in the evening and they call 911. What I've done with the 255-INFO number is to delay that answer on that call after they take 911.

The solution is very simple. I'll give \$100 right now; let's go out and buy a little answering machine, plug it into the Mayor's Answering Service at 255-INFO with a message that says "Call

tomorrow". Then those calls on 255-INFO will not go in to the 911 line and will eliminate those calls that are coming in at 255-INFO being picked up by 911. But I will tell you that until that happens and that number advertises "Do not tie up 911", it will continue. People will not use 255-INFO; they will use 911 to report their garbage not being picked up. That is the problem and that is why we went to the other mechanism.

**Mr. Pollock:**

Madam President, I think it would be best if this Council had all the information before it before calling for any action, and since you're calling for a Public Safety post agenda on Thursday, that we hold off taking any action until we have all the facts and data and the appropriate parties informing us.

**The Chair:**

I will do that. We'll have a post agenda this Thursday.

**Mr. Wagner:**

Madam President; if I may, as Chairman of Public Safety. First of all, this is not a councilmatic action; this is an administrative action. The Administration determines the numbers; this Council cannot, through legislation, do that. This is totally, 100 percent, an administrative procedure. 255-INFO, I have already asked, as Chairman of Public Safety - now the Administration does or does not have to meet my request; obviously, I would like them to - is to take 255-INFO and incorporate that somehow into the Mayor's Service Center.

Councilwoman Madoff is wrong in saying that she didn't know that this went into 911. I knew it, she knew it, Director Cannon told her, Deputy

Director DiNardo told her -

**Michelle Madoff:**

After the fact.

**Mr. Wagner:**

The over-obligation that this has put on the emergency system is incredible. One-half of the 750,000 calls per year are coming in under 255-INFO. Now, if that number is eliminated, will people call 911? They possibly may; know Councilwoman Madoff has done it in the past. I know many people have done it and should not be doing it. The 911 operator is not going to take and give information relating to City services. That is not the purpose of 911. This is a special, short, 3-digit number for emergency purposes throughout the City of Pittsburgh. We will have a cadillac system in about three weeks that has enhanced 911.

Now, it's very important that the public know that 255-INFO, we should not be using anymore. And I know you have used this repeatedly on political literature and many other things. The tying has to stop; this is an emergency number, 911. If you call 255-INFO, you are getting an emergency 911 operator. You are tying up the emergency lines. And as Chairman of Public Safety, I am suggesting that it stop today, now, because the 911 operators cannot handle all the calls that are coming in. They are not qualified to handle calls pertaining to Public Works, to other issues. They have enough responsibility. That is a pressure cooker position, as a 911 operator. It's more of a pressure cooker as a dispatcher in 911. It's understandable that they have become over-obligated in that system. We have to stop it and we have to stop it today.

The Mayor's Service Center number is 255-2621; I'll repeat that, 255-2621. I would like if anyone has a problem to call that number, a general City number. I agree with Councilwoman Madoff; there should be a tape machine put on in the evening or there should be an employee working in the evening. I think Council should make that suggestion. But let's keep emergency, emergency; and general information, general information. The Mayor's Service Center number, 255-2621. The emergency number, 911, for emergencies only.

**Michelle Madoff:**

Madam President, I am very distressed. I am distressed because something that was done to benefit the public in the sense that when the public calls 911 in the evening and we were having problems with that number, I was guilty of it myself, I was looking for Mr. Cannon one night and I called 911 because I didn't know how to call him any other way, there was no other source of calling. When you call 255-INFO, whether there's a live, breathing person there or an answering service, they have every department - The issue I was calling about was an emergency; I was trying to get the Director, I think it was a water leak and we needed some help and I was trying to get hold of someone. We needed some police involvement, I don't recall what the issue was but it was very serious. I did not have the Director's number at home at my house.

On the one hand, the Chairman of the Safety Department, Mr. Wagner, is saying, yes, Michelle Madoff is correct. We should have the Mayor's Service Center, which is 255-INFO and 255-2621, and since he referred to my public literature, I will tell you that it has both numbers. It has the Mayor's Service Center at 255-2621 and then it says 255-

INFO as an easier number to remember because nobody remembers 2621 but they will remember an acronym. INFO is easier to remember.

And while Mr. Wagner is correct, that it indeed does come in on 911, when I was informed after the fact by Mr. DiNardo and Mr. Cannon, I was informed that the reason it's still a good idea was that when the call comes in on the 255-INFO line, they do not pick it up if there's a 911 call coming in. They will take the 911 preference or if someone is on the 255-INFO, they'll say, hold the line, while they take the 911 number.

I agree with Mr. Wagner, it's a pressure cooker, it's a boiler room, and certainly we should not have those people taking 911 calls taking 255-INFO calls. That means, let's not have two wrongs make a right; let's correct the problem by having a call machine put on right away on 255-INFO. Let's have an answering service with a live body by next week where people can get information if they have a water leak or if they have a dead dog in their front yard. I've had calls where dogs are in the back yard and people can't go out of their houses; that's coming in at 911. And I've see three police cars answering that call because the dog could be rabid and he's chasing children, and well they should be there.

But to make this a political issue and an attack on something that was done in good faith and which I think will benefit the public by having a 255-INFO number with an answering machine which is really the Mayor's answering service as an acronym, and to say that that is detrimental to the City, it is not accurate. It is very productive so that people will not call 911, will remember the acronym and not remember the number. If you ask anybody on the street, you go out and ask the first ten

people who live in the City, "Do you know the Mayor's Service Center number?", they don't know. What do they call? 911. But if you say 255-INFO, I'm delighted to hear Mr. Wagner say that half the calls people are beginning to learn that 255-INFO means to call in on the Mayor's Service Center. But he's correct; that should not be tying up 911. And that's a very simple matter. As Safety Director, he would have far more influence than I would in getting the Director to immediately see to it that the Mayor take that number off of 911 and provide a separate answering service. But to accuse me of putting it on my political literature and all this, I don't think it belongs in this Council, I don't think that's the issue. It makes it sound like we're more worried about our own situations than we care about the public and I would like to think that isn't the situation.

#### The Chair:

It was pointed out that this is an administrative move and we'll meet with all the people on Thursday and get the information we want and we'll get it corrected on Thursday. They'll find a solution then and we'll talk to people knowledgeable.

#### Michelle Madoff:

On my last issue. Members of Council or their staffs met with Mr. Mark Zabierek today to discuss and to be briefed on the tax reform hearings that are taking place Wednesday which is the purpose of our cancelling our Wednesday meeting and having it on Thursday. Many people on this Council are going to be testifying. It would seem to me that there are some real reasons that we learned today that it might be to our advantage to have a letter come from this Council supporting the Mayor's position on tax reform because I think it

is a very sound position and Mark Zabierek should be commended for what he has done to bring it so far over overwhelming odds. He's done a really fantastic job.

I would like to have a letter going to the Senate Hearing Commission on tax reform urging them to pass the tax reform legislation as soon as possible and to have that letter go as a body. I make that in the form of a motion.

**Mr. Lyons** seconded the motion.

**Mr. Ferlo**

I don't know what the Mayor's plan calls for but if it calls for an increase in sales tax, I'm not for that. I mean, I don't know what the Mayor's plan calls for and I think it's an inappropriate letter unless we know fully what the Administration is asking for.

**The Chair:**

Michelle, I think the Mayor can speak for himself. Those of us who want to go and testify on his behalf have that privilege. We can't send a letter because, obviously, some people don't agree with the tax package. So, we can each go and speak for ourselves; I intend to go and the Mayor intends to go.

**Mr. Pollock** moved to excuse Mr. DePasquale and Mr. Woods for absence from the meeting.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, February 15, 1988

No. 7

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, February 15, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne and Mr. Ferlo present

No. 211 WHEREAS, the Tri State Conference on Steel and the Steel Valley Authority have advocated that the electric furnaces at LTV's South Side

Works be restarted as a partially employee owned company to produce semi-finished slabs for the domestic market; and

WHEREAS, the soon to be released Metals Retention Study, conducted by Hatch Associates Consultants Inc. and A.D. Little, states that there will be a long-term demand for steel slabs based on the changing steel industry structure in the United States; and

WHEREAS, the reopened furnaces would employ up to 350 persons; and

WHEREAS, a company that is partially owned by individuals, partially owned by workers and partially owned by the Steel Valley Authority will protect private investment and, will give the workers and the community a stake in seeing the business operate successfully, while protecting them from decisions by absentee owners.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby supports the Tri-State Conference on Steel and the Steel Valley Authority along with the United Steel Workers of America in their attempt to finance and re-open the South Side electric furnaces.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

I have with me Mr. Frank O'Brien from the Steel Valley Authority and Father Garrett Dorsey of the Tri-State Conference on Steel.

**Mr. O'Brien:**

I would just like to take the opportunity to thank the Mayor and the members of Council for the support that you've given us over the last year and a half. I think what we have going here now is a few fires burning around the electric furnaces and I think - I don't think, I know - that we can do the same in Pittsburgh that they did in Weirton Steel. I look forward to the support of the Mayor and the Council in the future. Thank you very much.

**Father Dorsey:**

Madam President and members of Council, the first reason that I'm here today is so that you can know that there are not just one of us but two of us. There's some rumor that Frank O'Brien sometimes wears a Roman collar; there are really two different people. We appreciate the support on behalf of the Tri-State Conference on Steel of this resolution and see it not as a symbolic act on the part of Council but as part of the continuing support that City Council and the Mayor has given to these proposals for trying to restart and continue industrialization in our area. The influence of Council as was shown in the past in the LTV matters went far beyond this room and far beyond our state; Youngstown and Cleveland noted what you had done and used your resolutions. So, we think this kind of support, continuing support that we've counted on in the past and will continue to count on, is very important in our efforts for industry in our area in the

City of Pittsburgh. Thanks very much.

**Mr. Ferlo presents**

No. 212 WHEREAS, Pa Pitt was created by the nationally recognized Editorial Cartoonist of the Pittsburgh Post-Gazette, the late Cy Hungerford; and

WHEREAS, Pa Pitt has unofficially represented the Spirit of Pittsburgh for over 50 years; and

WHEREAS, Pa Pitt has proudly ushered Pittsburgh from its industrial beginnings as a smoggy and dirty city to its present status as America's most liveable city; and

WHEREAS, in its efforts to attract tourism and interest into a growing economy, the City of Pittsburgh would benefit from having Pa Pitt as an official mascot; and

WHEREAS, New York has its Apple, San Francisco has its Golden Gate, St. Louis has its Arch, Chicago has its Loop, and Pittsburgh has its Golden Triangle.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Pittsburgh Convention Exposition Center and the Pittsburgh Convention and Visitors Bureau to adopt Pa Pitt as one of their official mascots; and

BE IT FURTHER RESOLVED, that the City of Pittsburgh proclaims Pa Pitt as one of its official mascots and let it be known that Pa Pitt will represent Pittsburgh through the warmth of a handshake and the sincerity of a smile.

**Mr. Ferlo moved to adopt the resolution.**

**Mr. Woods seconded the motion.**

Which motion prevailed.

**Mr. Ferlo**

Thank you, members of Council. I'd like to introduce Pete Iole who best has brought this character to life.

**Mr. Iole**

Thank you very much, Jim. Pittsburgh, through its very proud heritage in the City and its surrounding neighbors, now have someone who can speak for them in that same heritage line.

Also, looking ahead to the future of Pittsburgh with its Renaissance I and II, we can now look with pride and display that heritage and that renaissance to the world to continue to make Pittsburgh the most liveable city in the United States. And that's what I pledge myself and Pa. Pitt to do.

Thank you very, very much.

**Mr. Ferlo**

I just want to thank Mr. Iole on behalf of Council and let everybody know, including the public, that this man for the last couple of years in particular has been literally at hundreds of events, ribbon cutting ceremonies. He's been working night and day to increase the visibility of the City as being a wonderful place to live and to work and his services are available. Thank you.

**The Chair**

Would Dr. Richard C. Bower, President of the Society of Professional Engineers and Herbert C. Higgenbotham, II, Second Vice President come forward to accept this next resolution, please.

**The Chair presents**

No. 213 WHEREAS, in past decades, Americans have become increasingly aware of the wasteful use of our limited natural resources and our nation's reliance on foreign energy sources to maintain our standard of living and

WHEREAS, in future decades, efforts to develop the use of our resources in the most productive ways and to reduce waste, while minimizing the possibility of harmful impacts on the environment, will be a primary concern of the people of Pittsburgh, Allegheny County and the nation; and

WHEREAS, the creativity and hard work of America's engineers have been instrumental in every phase of the development of this City, County, Commonwealth and nation; and

WHEREAS, engineers have solved now forgotten problems, conquered new ones, and defined future problem areas; and

WHEREAS, in future decades, we will look more than ever to engineers and their knowledge, skills and ingenuity to help meet the challenges of the future; and

WHEREAS, the Pittsburgh Chapter of the Pennsylvania Society for Professional Engineers will honor Silvio Lorenzi, P.E., as the young engineer of the year; Tom Foerster, for distinguished service; and a recipient of the chapter's prestigious Hornbeck Award for Meritorious Services to be named at the annual Engineers' Week Banquet on February 27, 1988, at the Edgewood Country Club; and

WHEREAS, it is fitting that we recognize and honor the continuing

contributions of America's engineers by observing Engineers Week with the motto "Engineers - Turning Ideas Into Reality".

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby proclaim the week of February 21-27, 1988 as "Engineers Week" in the City of Pittsburgh and urges the citizens of Pittsburgh to recognize the contributions made by this special group of people.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Dr. Bower:

Thank you, Madam President. My name is Richard Bower and I am President of the Pittsburgh Chapter of the Pennsylvania Society of Professional Engineers. Herb Higgenbotham, as was mentioned, is our Second Vice President; he's also here today.

As some of you may know, the National Society of Professional Engineers first sponsored National Engineers' Week in 1951 as a means to give visibility to our nation's engineering profession. National Engineers' Week is always celebrated the week of George Washington's birthday. Our nation's first president was a military engineer and a land surveyor and he helped found the first engineering school at Valley Forge, PA. That school later became the Military Academy at West Point.

Engineers' Week is an annual observance that's been celebrated each year since 1951. This year's observance provides a time for Americans everywhere to recognize the many contributions that have been made by

this country's 1.6 million engineers.

As mentioned, our theme this year is "Engineers - Turning Ideas Into Reality". This year's celebration will culminate in an Engineers' Week banquet at the Edgewood Country Club on Saturday, February 27th. Six o'clock it starts.

By your proclamation, Pittsburgh City Council has exhibited leadership in providing similar recognition for thousands of engineers who work in the Pittsburgh area and who have made this area the technological leader that it is.

Madam President, Pittsburgh City Councilmembers, on behalf of the officers and directors of the Pittsburgh Chapter of the Pennsylvania Society of Professional Engineers, and for all Pittsburgh area engineers, I gratefully accept your resolution and sincerely thank you for your recognition of Engineers' Week.

The Chair:

Thank you very much.

Mr. Coyne presented

No. 181 Communication from Joseph Cogley, Deputy Director, Department of Parks and Recreation, requesting authorization for Henry Blyth, Duane Ashley and Diane Roth to attend the Sponsorship Now Conference, Chicago, Illinois, March 27-30, 1988, at a cost not to exceed \$3,424.80, payable from the Special Parks Program Trust Fund.

Which was read and referred to the Committee on Parks and Recreation.

Mr. DePasquale presented

No. 182 Resolution providing for a

Cooperation Agreement or Agreements with the Carnegie Library (The Carnegie) for the Central Branch Renovations to the Main Reading Room at a cost not to exceed \$316,000.00, chargeable to and payable from Code Account EC 88-56.

Also,

No. 183 Resolution providing for a Cooperation Agreement or Agreements with the Carnegie Library (The Carnegie) in connection with the Central Branch Rehabilitation at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 88-55.

Also,

No. 184 Resolution providing for a Cooperation Agreement or Agreements with the Carnegie Institute (The Carnegie) for Miscellaneous Renovations at the Carnegie Institute at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account EC 88-54.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 185 Resolution Repealing Resolution No. 519, effective July 11, 1983, entitled: "Providing for an Agreement or Agreements for professional services in connection with elevator maintenance at various City

facilities at a cost not to exceed \$2,500.00, chargeable to and payable from LB 83-17, Engineering Services Contracts."

Also,

No. 186 Resolution providing for a Contract or Contracts, or use of existing Contracts for the P.J. McArdle Roadway Sidewalk Rehabilitation at a cost not to exceed \$225,000.00, chargeable to and payable from Code Account EC 86-31.

Also,

No. 187 Resolution amending Resolution No. 933, effective October 27, 1986, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants, for Professional Engineering Services in connection with the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Buildings; and providing for the payment of the cost thereof," by increasing the total project allocation by \$185,000.00 (from \$605,000.00 to \$790,000.000) chargeable to and payable from Code Account EC 86-88.

Also,

No. 188 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by increasing a line item and by adjusting the Summary Total. EC 86-88, Retrofit of Public Safety Building was increased by \$185,000.00 to provide sufficient funds for a Supplemental Agreement with Schneider Engineers. This increase is

necessary due to design changes requested by the User Department (Public Safety).

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Lyons presented**

No. 189 Resolution providing for the implementation of a Residential Parking Permit Program in the South Oakland community pursuant to Pittsburgh Code, Chapter 549.

Also,

No. 190 Resolution Repealing Resolution No. 939, effective October 1, 1981, entitled: "Providing for an Agreement or Agreements with the Garfield Community Organization, Inc., and the Stanton Heights Civic Association, Inc., for the staffing and operation of an inter-community office in connection with the Stanfield Urban Development Action Grant Program at a cost not to exceed \$30,000.00, chargeable to and payable from CD 81-10, Department of City Planning."

Also,

No. 191 Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981; and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212, and 1012 of 1983, and by Resolution No. 151 of 1984, entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1981 CDBG Program," so as to decrease line item CP-81-10, "Stanfield (-\$30,000.00) and increase City Council, "Unspecified

Local Option" (CC-81-01).

Also,

No. 192 Resolution No. 793, effective September 22, 1986, entitled: "Resolution providing for an Agreement or Agreements with Hill House Association of Pittsburgh and the Urban Redevelopment Authority for renovation of the building at 2083 Bedford Avenue at a cost not to exceed \$27,000.00", so as to increase the project amount by \$25,000.00 (from \$27,000.00 to \$52,000.00) chargeable to and payable from the 1986 CDBG Program "Unspecified Local Option" (CC-86-01) - \$27,000.00 and the 1981 CDBG Program "Unspecified Local Option" (CC-81-01) - \$25,000.00; total \$52,000.00.

Also,

No. 193 Resolution amending Ordinance No. 31 of 1978, effective November 24, 1978, entitled: "Declaring the need for a Vacant Property Review Committee to function within the City of Pittsburgh and creating the same pursuant to the authority of the Urban Redevelopment Law, Act of May 25, 1945, P.L. 991, as amended" is amended to change the composition of the membership of the Vacant Property Review Committee.

Also,

No. 194 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$340,000.00 of Giant Eagle Urban Development Action Grant repayment funds for the Streetface Program.

Also,

No. 195 Resolution amending Resolution No. 1048, effective December 22, 1987, entitled: "Providing for the

execution of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Commonwealth of Pennsylvania, Department of Community Affairs Enterprise Zone; and providing for the payment of the costs thereof not to exceed \$23,841.00" to include the Penn Gate Enterprise Zone and increase the funding by \$1,755.00 (from \$23,841.00 to \$25,596.00) chargeable to and payable from the East Liberty Enterprise Zone Trust Fund \$25,596.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 196 Resolution transferring the sum of \$40,000.00 from Code Account 57, Social Security Fund to Code Account 1001-2, Salaries, Wages and Services of Council as needed. —  
(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

**Mr. Pollock presented**

No. 197 Resolution providing for the issuance of a \$1,400.00 warrant in favor of Mary Ruth Aull in settlement of claim for automobile damage and car rental by a Bureau of Refuse truck at Penn and Braddock Avenue on August 26, 1987, payable from Code Account No.

46, Judgments.

Also,

No. 198 Resolution providing for the issuance of a \$873.00 warrant in favor of Thomas and Geneva Adams in settlement of claim for sidewalk damage by City tree roots at 7111 Gladefield Street, payable from Code Account No. 46, Judgments.

Also,

No. 199 Communication from James Turner, Director, Department of Finance, requesting authorization for himself and Reginald Young to attend the Government Finance Officers Association Conference in Atlanta, Georgia, April 30 - May 4, 1988, at a cost not to exceed \$2,850.00, payable from Code Account No. 1063, Miscellaneous Services.

Also,

No. 200 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara King to attend two separate pre-proposal conferences for Summer Training and Education Program Initiatives and Urban Service Corps Initiatives, Harrisburg, PA, February 17-18, 1988, at a cost not to exceed \$450.00, payable from the JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 201 Communication from Melanie Smith, Director, Department of Personnel, amending Council Bill No. 26 of 1988, requesting authorization for David Farley to attend the U.S. Conference of Mayor's Urban Job Training Annual Conference in Washington, D.C., January 20-21, 1988, by increasing the total cost from \$600.00

to \$660.00, payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 202 Communication from Dante Pellegrini, City Solicitor, Department of Law, requesting interim approval to enter into an Agreement with Wilson, Elser, Moskowitz, Edelman & Dicker to pay outside counsel for the anticipated challenge to the map drawn by the Pittsburgh Apportionment Commission in the amount of \$10,000.00 or more, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 203 Resolution authorizing the issuance of a warrant in the amount of \$5,600.00 in favor of Ace Demolition Inc., 3810 Crooked Run Road, North Versailles, PA 15137 in payment for emergency demolition of 560 Singer Place, Ward 13, chargeable to and payable from Code Account, Capital Project Funds.

Which was read and referred to the Committee on Finance.

Also,

No. 204 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Michael Brown, Bureau of Police, to attend a seminar entitled, "Crime Stoppers Program" Birmingham, Alabama, February 11-14, 1988, at a cost not to exceed \$595.00, payable from the PSTA Code Account.  
**(PRIOR APPROVAL GRANTED)**

Also,

No. 205 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for any of a certain twelve (12) Public Safety representatives to attend one or more committee and board meetings for the Pennsylvania Emergency Health Services Council during 1988, Harrisburg, PA, at a cost not to exceed \$3,000.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle.

Which were read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 206 Resolution amending Resolution No. 1094, effective January 1, 1988, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program", by creating a new line item entitled, EC 88-65 "Troy Hill Fire Station #39, Rehabilitation" - \$500,000.00. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Engineering and Construction.

Also,

No. 207 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of an Appliphase Squeeze Roll Applicator machine to be used at the Painting Division at a cost not to exceed \$21,500.00, chargeable to and payable from Code Account No. 1635, Equipment.

Also,

No. 208 Resolution granting unto



Robert F. Berberich and Kathleen M. Szuch, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a shed and side yard on a portion of the Right-of-Way of Ray Avenue in the 19th Ward of the City of Pittsburgh.

Also,

No. 209 Resolution vacating an Unnamed Way 7-Foot from Windom Street to the northerly line of Norton Street extended for a distance of 90-Feet, reserving the 2" water line located therein in the 17th Ward of the City of Pittsburgh.

Also,

No. 210 Resolution vacating a portion of an Unnamed Way from Colwell Street, as vacated, for twenty more feet, in the 3rd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

#### REPORTS OF COMMITTEES

Mr. Pollock presented

Bill No. 214

Report of the Committee on Finance for February 11, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 98

A Resolution entitled, "Resolution transferring the aggregate amount of

\$100,000.00 from various Code Accounts to Code Account 1807 Repairs, Index Code (180703), E-15 Swimming Pools, in the Department of Parks and Recreation."

—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

If you want to support the negative vote, you will vote aye.

Michelle Madoff:

Okay. If I do not want to have a pool fee —

The Chair:

This is not the pool fee; this is the transfer of funds.

The bill is negative. If you want to vote in favor of the negative bill, you will vote aye.

Mr. DePasquale:

No, you vote on the bill itself. Regardless of whether it's a negative vote or not, Sophie, we're still voting on the bill. So, you vote aye for it and no if you're against it.

The Chair:

That's right; I said that. If you are in favor of the negative recommendation, you will vote aye.

Mr. DePasquale:

No, you'll vote no.

Mr. Perry:

Forget the negative. Just vote on the bill.

**Mr. Lyons:**

Madam President, what was the negative recommendation? I know it was \$100,000 to repair the pools.

**The Chair:**

No, it's No. 98. It's transferring funds from various code accounts as listed in the bill. Bill 98.

**Mr. Lyons:**

Okay, it's not to take the money for the travel now, is it? That's what I want to make clear; I think the negative recommendation was to take the \$100,000 from the travel —

**The Chair:**

Various code accounts. He wants to transfer this amount of money and we had a negative recommendation at the meeting. He wants to transfer to swimming pools in the Department of Parks and Recreation.

**Mr. Lyons:**

But it's coming out of the travel accounts, though, isn't it?

**The Chair:**

Yes, various accounts. Yes.

**Mr. Ferlo:**

Madam President, I don't want to reiterate all the lengthy debate that took place last week but as the sponsor of the resolution I would just, in summary, ask Councilmembers to reconsider. I think it's important to point out that the swimming pool fees are unfair for the reasons I stated previously.

In closing, I would like to say that

the travel, as I've indicated, on the part of the City is out of control and, as I indicated, the travel has gone from \$80,000 in 1980 for a 450 percent increase to \$370,000 in 1987. Travel is out of hand as it relates to the City budget. I'm only asking Councilmembers to transfer and reduce the code accounts of out of town travel by \$100,000 in order to put that money into the swimming pool maintenance trust fund in order to raise some of the money that the Administration would like to do instead of raising it by instituting another nickel and dime hidden swimming pool fee tax. So, please reconsider your vote.

**Michelle Madoff:**

Madam President, the reason the confusion is happening is that the bill itself, 101, will not come up until we get to Parks and Recreation.

And as Mr. Ferlo stated the other day, we took Bill 101, first of all, and then went back because there was no point in transferring dollars if the bill fails. I think that we ought to proceed in the same manner again; we ought to take 101 first of all, or leave this bill and come back because it doesn't make any sense. If the bill fails, we're not going to transfer the money. That was the point he made originally; we agreed to it and we took it in that procedure. Why would we change now?

**Mr. Ferlo:**

Having lost on both issues, both the transfer of travel as well as the rescinding of the fees, it really doesn't matter at this point how we're going to vote unless Michelle and others have seen the light and would like to reconsider. So, it really doesn't matter that much.

**Michelle Madoff:**

Madam President, the reason I raised the issue is that there may be people listening and we're transferring money for the pools and then when we get to the pool we vote no on it. It doesn't make sense. I think we almost need to take them together.

**The Chair:**

We have a vote on 98 now and that's what we're going to vote on.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

AYES 1                      NOES 8

VOTING NO:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 99

A Resolution entitled, "Resolution authorizing and directing the City Controller to conduct a performance

audit of the City of Pittsburgh Housing Authority pursuant to Article IV Section 404 of the Home Rule Charter." ---  
(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Lyons:**

Madam President, I ask that Bill No. 99 be voted on separately.

Michelle Madoff seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Madam President, would you clarify what that bill is?

**The Chair:**

It's authorizing the City Controller to conduct a performance audit of the City of Pittsburgh Housing Authority.

**Michelle Madoff:**

Thank you.

**Mr. DePasquale:**

In regards to discussion, someone mentioned to me today that the problem with the bill was not so much a problem that actually under the Home Rule Charter, that the Controller has the right to conduct an audit on any authority. And if that's the case, what is it in front of Council for and why does Council have to give approval or disapproval if it's mandated by the Charter that the Controller can conduct the audit?

**Mr. Ferlo:**

Madam President, first of all, I went into lengthy discussion last week

and since some members were not able to be at the meeting I'd like to try to reiterate some of the reasoning and concerns as the sponsor of this resolution.

First of all, this issue has nothing to do with the City Controller directly. It has everything to do with this City Council as a legislative body, as the body that's responsible ultimately for the quality of housing in this City to fulfill its fiduciary role. In this sense, I am invoking the prerogatives of Council as it relates to the Home Rule Charter, Article IV, Section 404, where it specifically empowers City Council to direct the Controller to conduct a performance audit. In this case, it's the Housing Authority of the City of Pittsburgh.

As I had mentioned, I do have a specific bias and concern. I indicated at the last meeting that the Housing Authority, with 1000 units vacant in the City of Pittsburgh and a waiting list of 2700 people, having personally visited all but maybe a couple of the housing communities, I'm concerned about the quality of life in those communities and I think it's long overdue for there to be an independent performance audit to talk about how the dollar is being utilized at the Housing Authority. Not where the dollar is necessarily directed to or is the dollar lost, but how well is the federal dollar being spent at the Housing Authority.

The Housing Authority has never undergone an audit as it relates to their performance. The Housing Authority is the largest single authority of City government with a \$28 million budget. Regardless of the fiscal audits that they have done with the Department of HUD, the City Controller and City Council itself is not engaged in a review as to the performance of the Housing Authority.

I think it's long overdue and this sets into motion a basis on which this can happen. The Controller, at the table, indicated to Council that he is being legally stymied in his attempt to do this. What this is is an affirmation on the part of City Council that these authorities are under our wing; they are not unto themselves like other authorities that exist in this City and Allegheny County. We are ultimately the ones, elected officials, responsible for their performance, not unelected members of their board and directors. I think the Authority audit is long overdue; this would enable the Controller as well as this body to have a more qualified legal standing in a court of law in order to make sure that this performance audit gets done.

**Mr. Lyons:**

Madam President, I think that in our thrashing out of this resolution, I said that it was wrong because of the single audit law that was passed by the Commonwealth of Pennsylvania. HUD has carried their fiscal office, has done the fiscal audits year in and year out and have found no wrong. I feel, personally, it's a harrassment of the Housing Authority and Mr. Ferlo heard, when Director Pietragallo brought his suite of officers here why the apartments were vacant and such a long list is because there were apartments that the people didn't want and didn't suit their needs.

Finally, the letter that was written from the Dickie, McCamey law firm which are the attorneys for the City Controller was confusing at best relating to various audits that they were allowed to have and not allowed to have and no one could tell what the point was of the letter that was displayed here from Dickie, McCamey who were the attorneys of the City auditor. That's the reason I oppose this resolution...

**Michelle Madoff:**

Madam President, for the record. I did not find the Dickie, McCamey letter at all confusing. I thought it was very specific, right to the point, and right on target. I understood it perfectly.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |             |
|-----------------|-------------|
| Mr. Coyne       | Mr. Pollock |
| Mr. Ferlo       | Mr. Wagner  |
| Michelle Madoff |             |

AYES 5 NOES 4

**VOTING NO:**

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 104**

A Resolution entitled, "Resolution providing for the issuance of a \$1,467.50 warrant in favor of William B. Dixon in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

**Bill No. 105**

A Resolution entitled, "Resolution providing for the issuance of a \$1,800.81 warrant in favor of Duquesne Light Company in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

**Bill No. 106**

A Resolution entitled, "Resolution providing for the issuance of a warrant to Howard L. Burkholder, c/o John M. Kasaback, Esquire, Suite 140, Fort Pitt Commons Building, Pittsburgh, PA 15219, in the amount of \$10,000.00 in full settlement of a claim for personal injury, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Woods presented**

**Bill No. 215**

Report of the Committee on Public Works for February 11, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 100**

A. Resolution entitled, "Resolution amending Section 1 of Resolution No. 1215, approved November 27, 1982, entitled: 'Providing for an Agreement or Agreements with the Parking Authority, the Stadium Authority, the Urban Redevelopment Authority and other City of Pittsburgh governmental agencies for the purchase of bituminous materials; and providing for the creation of a Trust Fund for receipt and payment of such materials including expenditure of funds from said Trust Fund for expenses incurred in operation of the Asphalt Plant,' by including other municipalities and governmental agencies outside the City." —(SPONSORED BY MR. FERLO)

Which was read.

**Michelle Madoff:**

Madam President, I think it's terribly important to point out that all of us were intensely lobbied by the asphalt people and that if you go back and read the quote in the Pittsburgh Press by Mr. Gaetano which is very accurate and exactly what he said here in Council, Gaetano said the City would provide small quantities to suburban municipalities for minor projects such as pothole patching. We're not going to put anybody out of business with that limited amount of asphalt but it will make a big

difference to a city that is terribly in debt, hurting, thinking about cutting back facilities. We have a Troy Hill resolution coming forward to keep their fire station; it's half a million dollars.

In many cities today, as I've stated in previous years, there are cities working on lease back arrangements, building hotels where they keep part ownership of that facility or that entity that generates revenue to help with the general fund. As the entity grows, as buildings are rented, as rents go up or as taxes go up, it helps the tax base of the city. And I can see no reason why we should be lobbied, we should be terrified and be afraid to vote in the best interest of this community. I support voting for this legislation.

**Mr. Woods:**

I would like to move that we recommit this bill.

**Mr. Ferlo:**

Discussing the actual motion since I'm against recommitting it, obviously there was extensive lobbying since Friday and, as far as I'm concerned, that's good government; I think everybody has the right to lobby and I'm glad that those who own some of these companies outside the City took the time to lobby. They obviously feel that they have a vested interest. I'm not too hung up on that point unless I thought that Councilmembers who voted affirmatively to support this originally have now changed their tune solely on the basis of that information. So, I hope there will be some lively debate and discussion here today so that we can resolve any new questions that might have popped up in the minds of Councilmembers and some of those questions may be legitimate.

I just want to say as the person who

reintroduced this bill and revived it from many years ago that there's one thing that I do agree with some of the asphalt companies and that is questionable as to whether or not the plant should have been built originally many years ago. It was a lot of money; a bond issue was required, or part of a bond issue, and at the time I did express opposition and concern because of those very reasons. The problem is, it's now 1988, we now have the plant, and that is, to me, a moot point. I think it's important now that we look after our interests just as the asphalt plant owners are looking after theirs. I think it's clear from what Councilwoman Michelle Madoff has said, and others, that if this had been approved originally, we would have had an additional \$2 million to \$3 million in revenue since 1980. And as Michelle has said, also, we could have hired police; we might not have to be charging for swimming pools and a lot of other things that we need money for in City government.

I think it's very clear that in response to some of the concerns that our workforce is unionized and we pay these people well on our City workforce. I dispute the notion that jobs would be lost and somehow we are hurting the union movement locally in Western Pennsylvania. As somebody who has stood on many a picket line and in fact has been in jail a few times in support of union issues, I have to debate that point heavily.

The City government does sell many of its services, and I point to Section G under the Home Rule Charter, Section 310 under Powers of Council, where it states specifically under Powers of Council that we have the right to authorize the sale of City services outside the City so long as these services to the City are not impaired. Also, very clearly, there are some legal issues here

which are attempting to be raised at the last minute. There are no legal issues; clearly, City government has the prerogative legally under the Intergovernmental Cooperation Act. And some of the information from the Asphalt owners, while it's well-intentioned on their part is clearly not accurate.

In closing, I hope that you will remain firm and support this resolution once again here today. Thank you.

**Michelle Madoff:**

Madam President, in support of Mr. Ferlo, we do sell our water; we'd like to sell more water. We have the capacity to double our water sales and generate some money. There's no doubt in my mind that this will generate some money. Mr. Gaetano, as you know, received an award from this Council because on his legislation to relight the City he's going to save us about \$1 million in energy costs. So, we're going to be generating some money to the general fund from his efforts and this is just another effort in that direction.

If memory serves me well, maybe someone else could talk to this issue, didn't the asphalt plant develop a - didn't we support a hydraulic energy plant close by so they get their energy from the hydraulic plant at a lower cost? We sell the surplus to the utility companies and we're producing our asphalt which we needed in any event at a much lower cost than we could purchase it. Also, we are producing jobs for people; we don't want those people out of work.

I think the statement that was made by Mr. Ferlo which was also made to me when I was lobbied by the asphalt people is that we should not have built that plant is ludicrous. We built it, we built it as an efficient, cost effective

plant for the City of Pittsburgh. I voted on it at the time; as I recall, you did as well, Mrs. Masloff. And they run it with some low-cost energy from a hydraulic plant. We need it for the patching. In any event, it was a way of saving the City money and we're just expanding on it because we have the facility. It was not built foolishly; it was build very wisely.

**Mr. Pollock:**

Mrs. Masloff, on Bill No. 100, I have been probably the greatest advocate and ardent proponent of generating revenue by the City in any way possible; user fees or sale of material. I think this is an excellent bill and I support it. My only caveat would be that while this sale is occurring, hopefully, if this bill passes, that there be a study, and I will ask Director Gaetano this and hopefully he'll receive permission from the Administration to comply with this request, that a study be conducted as to whether or not it might be feasible to actually sell the plant. I have been told that it would have a market value, that there would be a market for the plant, and if there should be a study done, maybe we'd be better off selling the plant for \$7 million and purchasing the asphalt ourselves and having the money to invest and maybe we would come out ahead. These are things that have to be looked at. They're not mutually exclusive. We certainly should sell the asphalt while we're examining whether or not we should sell the plant. Who knows what it's worth? And if we can bring in \$4 million or \$5 million and have that money to invest and purchase asphalt, then maybe that's the way to go. Everything's a cost analysis and a cost benefit analysis.

So, I would ask that Director Gaetano do this and I will be talking with him on this. But in the meantime, definitely sell whatever we can.

**Mr. Wagner:**

Madam President and members of Council, I voted for Bill No. 100 last week and I will vote for it again if it's not put back in Committee. But I have also been lobbied by many people and it's not that I am concerned about the lobbying effort and the opposite side; my concern is whether or not we are proceeding in a legal fashion here. For that reason, I think it would be in our best interest to at least get a legal opinion from our Solicitor as to whether or not it's appropriate for the City to sell asphalt in competition with asphalt companies that are located in the City or in the region. If the official legal opinion is yes, I would certainly support the bill. I will support the bill either way today if we vote on it, with or without a legal opinion, but I would prefer to have a legal opinion prior to the vote.

**The Chair:**

I agree with you.

**Mr. Woods:**

Since we're not selling asphalt at this moment, it's not the season to be out paving streets and roads, I would ask my colleagues to recommit the bill until one week from today. You can't compare this bill of selling asphalt to selling water; it's altogether different. Water is run by an authority or, in the private sector like West Penn, it is governed by the PUC. Asphalt is a private industry and you're talking about private people.

All I'm asking, and I'm making the motion now, is to recommit this bill until Wednesday.

**Mr. Lyons** seconded the motion.



**Michelle Madoff:**

Can we discuss the motion recommitment?

**Mr. DePasquale:**

Wait a minute. Are we finished with discussion on the bill itself?

**The Chair:**

There was a motion made to recommit.

**Michelle Madoff:**

My reason for not recommitting is that this bill has come up a number of years ago. It was checked at that time to be, and found to be, legally sound. It was defeated because of the lobbyists and I see no reason that we should put it back in Committee to give the lobbyists a chance to work on us and work us over again. I think we ought to vote on it right now.

**Mr. DePasquale:**

Point of order, Madam President. I doubt if there's discussion on a recommitment; either you vote it up or you vote it down.

**Mr. Ferlo:**

You can discuss any motion before us.

**The Chair:**

Mr. Parliamentarian, is there discussion on recommitment?

**Parliamentarian:**

The motion is not debatable.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. DePasquale | Mr. Wagner               |
| Mr. Lyons      | Mr. Woods                |
| Mr. Pollock    | Mrs. Masloff<br>(Pres't) |

AYES 6                      NOES 3

(MR. COYNE, MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**The Chair:**

Mr. Wagner, would you make a motion to refer this to the Legal Department so that Mr. Perry can do so?

**Mr. Wagner:**

I certainly will. So moved.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Madam President, at what point will the Solicitor come to us with an explanation? It should have been done last week if people had questions on the legality.

**Mr. Woods:**

He already prepared one a couple of years ago.

**The Chair:**

Yes, we have one.

**Mr. Ferlo:**

So what was the point of delaying it if we know the Solicitor says it's legal?

**The Chair:**

We don't know whether he said so.

**Mr. Ferlo:**

I know what he said because that's one of the first things that I checked.

**The Chair:**

Well I don't know; I haven't seen it. Wait until we see it.

**Mr. Ferlo:**

That's why we have lengthy Finance Meetings where we debate these for hours.

**Mr. Woods:**

Point of order, Madam President. You already took the vote and Mr. Ferlo is out of order.

**The Chair:**

Yes, that's right.

Also,

Bill No. 119

A Resolution entitled, "Resolution vacating Mary Street between South 24th

Street and South 25th Street, reserving the 4-inch and 12-inch waterlines therein in the 16th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 216

Report of the Committee on Planning, Housing and Development for February 11, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 102

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with Consultant(s) to provide equipment software and aerial photographic products for a Land Records Management System and to computerize records and base maps therefor, and providing for payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle-Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 217

Report of the Committee on General Services for February 11, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 13

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for consultation on 'Underground Storage Tank Management' at the City's Garage Facilities, Department of General Services, Bureau of Fleet Management, and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 13, Madam President, just for the record, because this is the final vote and it will only be on the Monday Record that we record statements, this is a bill wherein Dawn Botsford, Director of this department, has now met with the consultant who is not charging us anything, will not bid on the item, and has given her some direction for which she is enormously pleased. And if anybody else on this Council has that kind of help to provide the City in light of our fiscal plight, it would be a very good idea.

I'm very pleased we can go ahead with it because she will spend only what is essential but, more important, will be able to curtail the costs on the actual bill. This is only the consultant, but on the actual contractual work. I am enormously pleased.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Lyons           Mr. Woods  
Michelle Madoff    Mrs. Masloff  
                      (Pres't)

AYES 8               NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 131

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation, payable from Code Account PR 88-06, 4-10-10-1700-88, Index Code 321869, Concrete Repairs to Park Facilities, Department of Parks and Recreation and for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            Mrs. Masloff  
Michelle Madoff    (Pres't)

AYES 9               NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 218

Report of the Committee on Parks and Recreation for February 11, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an **NEGATIVE** recommendation,

Bill No. 101

A Resolution entitled, "Resolution Repealing Resolution No. 987, approved December 4, 1987, entitled: 'Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs,' approved December 4, 1987." —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

As the sponsor of the bill to rescind the swimming pool fees, I would like my comments brought forward. I'm still in favor of this resolution to rescind the swimming pool fees.

**Mr. Wagner:**

Madam President, I'd like my comments brought forward for the record also.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S REMARKS ON BILL NO. 101 - THURSDAY,  
2-11-88)

Mr. Ferlo:

Yes. Obviously I'm for it having submitted the bill. I feel strongly that the swimming pool fees are a problem for a very large number of low-income and working class people in the city. I feel strongly about this issue. Last year when this was discussed prior to the election, I did submit along I think at least 100 other citizens a petition requesting an opportunity--a public hearing on the issue of the swimming pool fees. That was prior to the primary. The petition was not recognized and the hearing was not initiated because prior to the primary, the Administration withdrew it and there was no need to implement it and after the primary it was a different situation. However the petition was never either deemed valid or entertained by Council and there was no actual public hearing on the merits of whether or not swimming pool fees are a problem for a large number of people in the City of Pittsburgh. That's a little bit of background. Now that I am on Council I have at least the opportunity to raise the debate again and I'm doing that here today.

I'm not opposed to the creation of the swimming pool trust fund. I think it's a good idea for a separate code account to have been created by the Administration. The problem that I have is that the small amount of money which I feel will be raised off the backs of families who I think have a problem being able to pay this amount of money. I have a problem with the amount of the administrative bureaucracy that will be created in trying to determine who is low income and what is low income.

I had a discussion with the Director prior to introducing this to let her know that I was going to re-introduce this concern and to allow her an opportunity to collect her thoughts and come forward with a specific plan relative to the issue of the low income guidelines, so I would like to at some point engage with the Director on this discussion.

I have raised several other bills here today to try and convince Council not only of the necessity of eliminating the

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swimming pool fees but to raise money of the elimination and reduction of the out-of-town travel which I think has gotten out of hand and also the issue of raising one-half million dollars by selling asphalt to municipalities outside the city. I raise that as a way for Council to suggest to the Administration there might be other ways in which moneys can be created for something they feel is important and that is a separate sum of money available for the maintenance and repairs and construction of swimming pools.

As I said I'm not opposed to the trust fund, I think it's a good idea. I would like to see rather the elimination of the swimming pool fees and an approach to community neighborhood groups and other neighborhoods throughout the city what the possibility of them adopting a pool and trying to raise money for a pool. I'm still skeptical and I believe strongly that a very small amount of money will be raised with this for the amount of headache that it's going to be to determine who is low income. I'd rather see a more positive approach in trying to get neighborhood groups and et cetera, involved in the process of adopting a pool and helping to raise money if money is needed. There are other innovative ways and certainly the Director of Parks and Recreation probably has the best track record of approaching the private sector in raising money for various parks events. An example would be advertising billboards of some sort around these pools to collect money from swim trunks, sneaker companies, and all kinds of people that might want to advertise for a small amount of money and contribute to the trust fund.

At this time I'd like to have a number of questions answered by the department director.

I talked to you briefly and you know I'm concerned about the swimming pool fees, I have a major problem with them. I think they are discriminatory and it's inappropriate to raise money off this group of people. I was wondering, what are the specific guidelines and what's the administrative process for raising this money?

Ms. Brown:

As I mentioned to you, number one, we feel, and I believe Council did--the Council that passed this original resolution,

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felt that the fees themselves were extremely nominal, minimal fees. Five dollars a year for a child, \$10.00 for an adult with a family getting a break on that.

However, we also agreed that there will be people that either could not afford or didn't want to pay the fee that were low income. We will be establish a program that persons on public assistance will have that fee waived. We have been working on the administrative aspect of that and do not feel that will be too burdensome because people do have public assistance cards and by showing that card they will be able to get the free tags. That card also tells how many dependents that family has, so with the showing of that card those people will be able to get free tags. It will be done at same sites that the tags will be sold at so we will not be required to set up additional stations.

Mr. Ferlo:

So in the past find the 70,000 odd tags that were given out, there was a decentralized approach--people came to these respective places for the tags, showed city ID or suburban ID and received the tag. This was done by various administrative support staff.

Ms. Brown:

That's right.

Mr. Ferlo:

The problem that I have--one, there's not a form of written policy at this time on what the guidelines would actually read.

Ms. Brown:

We will have that by the end of February.

Mr. Ferlo:

At what point do you begin this process of actually giving out the tag?

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Ms. Brown:

At this point we are considering but this will be finalized by the end of February--considering--a lot of different ways. The week before the pools open and the week after the pools open the tags will be available for sale or if proof of public assistance is shown. We had thought about doing it a lot earlier but came to the conclusion that most people that swim in our pools are kids. They don't always plan ahead and we would be wasting a lot of time and money to be starting back in April.

With the proper public regulations promotions which I'm sure we can get from our local media to inform them that if they go to their swimming pool this is where they can get it. In addition, after that they will be able to purchase the tags throughout the rest of the year at four regional pools that will also charge daily admissions.

Mr. Ferlo:

In the past, a child would come to the pool with some type of ID. They would come and receive a tag.

Ms. Brown,

Yes.

Mr. Ferlo:

Under the new situation you are now asking that the parent must come with some type of ID relative to being on public assistance.

Ms. Brown:

That is correct.

Mr. Ferlo:

You radically altered already who all comes to these centers for the proper identification.



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Ms. Brown:

For the fee waiver the adult or the child could come with the card if the adult wanted to give the card to the child.

Mr. Ferlo:

The problem that I have is again we're unduly stigmatizing the young kids who are now going to have to take this public assistance card or some indication of their low-income status and they will have to go and barter with the clerical support staff that Parks and Recreation has out at the various centers so I have problem with that just in terms of the mechanics and the relationship of this child showing the proof of ID.

Secondly, you had mentioned that you would accept the public assistance card. You can be on public assistance in Pennsylvania and be only at two-thirds of the anti-poverty guideline so already we're creating a situation where there are a lot of people in the city--at least the by the 1980 census that are low income as based the on CSA poverty guidelines so you're already creating a schism between the people that formally have a DPA card and a card for medical assistance and another larger group of people that meet the CSA poverty guideline but aren't actually low enough to be formally on some form of public assistance.

The other large group of people which also worries me, I would describe as working class and working poor. These are people, many of whom are single head of households who are not low income enough to be on medical assistance or general assistance but in fact have very little income for any kind of user fees or additional tags in order for their kids to swim in the city pools. And that figure coupled with the low income people is, as far as I'm concerned, maybe Mr. Turner can talk about this, is better than maybe 25 or 30 percent likely of those 70,000 tags that you are talking about.

The other problem that I have in closing and maybe some other people would like to ask questions, is that for the 70,000 tags coupled with the percentage that you would take out for either low income based on medical assistance, general assistance or Medicaid, coupled with the other group of people that I talked about that are low income and are still within the

CSA poverty guidelines you're talking at least 40 percent of those 70,000 tags, just in terms of the amount of money that the Administration says would be raised. I can't see more than \$50,000.00 or \$60,000.00 being raised as I understand your fee schedule to be and for that amount of money and for the amount of administrative hassle, for the amount of problems that I foresee and I think there are going to be problems with little kids at these various centers engaging in dialogue and debate and hassles at the point when they are supposed to be trying to get these fees--for all of those combinations of reasons coupled with the fact that there are other ways for the Administration to get money, I'm still opposed to the swimming pool fees and I hope Council will consider rescinding this pool fee. I don't want to attack Council but it is accurate to say that many people on this Council including some who were not here were fundamentally opposed to this prior to an election but now that it's after election they've completely switched the vote on this issue.

Mr. Ferlo:

Mr. Pollock, first of all I think your position on this issue has been extremely consistent and I respect the fact that we have a disagreement on this.

In terms of the user fee issues I want to make it clear not only am I not opposed to having a swimming pool trust fund for the reasons that I stated earlier in terms of independent contributions to that fund, I may not necessarily be opposed to user fees across the board whether it be for garbage or the hassle that's going into the pool fees or a broad range of various user fees that we have yet to conjure up but I find all of these to be a nuisance--not only a nuisance but I find all of these to be unfair because of the presence of the four percent wage tax and all kinds of other revenue enhancement ways that we have of getting money from people across the board so until such time that one that the fiscal house is in order and two, we re-order some of our priorities of spending, I'm fundamentally opposed to not only the swimming pool fees but garbage fees and the whole other things that will come before this table before the year is up.

So I want to make it clear that ultimately in principle I'm not opposed to a user fee but I don't think we've reached that

point yet. We haven't reached the point where user fees are fair and they would be non-discriminatory and they would be necessary. There is still a lot of waste in this budget. I see Council spending money and approving expenditures on all kinds of things that I don't think we need to be spending money on. So it gets to be a question of priority and a question of one's fiduciary role in City Council.

I don't agree with the notion that--Councilman Coyne makes a good point that we don't have the resources but I think if we look further even in terms of the budget of Parks and Recreation, I would raise the question of what one's priorities are. I'm saying here to my colleagues and to the public that as a priority, I am more concerned about the swimming pool fee and I want to rescind it and I'm less concerned about spending money for Mellon Square concerts or the Grand Prix auto or a lot of other events that in the main draw suburbanite crowds and we can get into a lengthy discussion about that in terms of the income and well and good but in terms of the priority I think there are things that we should spend money on that directly relate to the working people and to families of this city who pay all of the taxes to which the suburbanites benefit from and I use that as another example. And senior citizens and certain people may not use the pools and Councilman Coyne makes a valid point that in the end they're not the ones using the pools so why not have people pay who are using them? But I would argue that in the end I think all of us are going to pay by having a lot of kids who don't have job opportunities in the summer and don't have a lot of opportunities to do things, recreationally and I think--I foresee a major problem still with the implementation of the system that the Director describes and I still think we're going to be denying a lot of kids use of the pools and I still see a situation where in the end we're going to have a lot of kids running around in neighborhoods trying to find things to do and kids get into mischief and I think this is going to be a situation that will bear fruit through the summer months and I'm trying to avoid that situation. So I just wanted to amplify those points further.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

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(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 101 - THURSDAY,  
2-11-88)

Mr. Wagner:

Mr. Chairman and members of Council and Director. In regard to both bills and I believe we're talking about both right now. Bill No. 98 which changes fees or takes fees out of one department and puts them in for the swimming pools from various departments anywhere between 15 and 20 account numbers, I oppose. I will vote against mainly because I believe if we were to eliminate or repeal the user fees, I think we should find some other way within the Administration and I believe that should be the Administration's prerogative to find the funds for the user fees just as occurred last year when they were repealed and the Administration did find ways to come up with those funds. So I will vote against Bill No. 98.

Bill No. 101 is the actual repealing of the user fees. In two previous votes on Council I voted against implementing the fees and I will vote for this because this is repealing the user fee. So my three votes will be consistent in that area. And I have on record stated my reasons, probably have been redundant both times in stating my reasons and I don't want to be redundant today, except to state that I believe that a user fee is viewed by the public as simply being a new way of government charging the resident of the municipality and the resident or the person doesn't really care if they're paying a wage tax, an occupational tax or any other type of tax or a user fee. They are simply paying out of their pocket, so therefore a user fee which is a new user fee is viewed I believe by the public or the resident of the City of Pittsburgh as being a new tax for a service and I have said from the beginning that I believe that's dangerous because traditionally we have not done that in the City of Pittsburgh and if we do it with this particular item, it means that in the future this item may increase in costs even though it's minimal today, it may increase in costs in the future simply by an amendment of Council and the possibility exists for us to get into other areas such as refuse disposal, if your house is on fire, you have to pay a fee for the firefighters to come, paramedics, etc., etc., and I believe that's dangerous and Councilman Coyne is right--four and one-half cents doesn't sound like much if you use the pools everyday but if you take the Pennsylvania CAT Fund that started

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out at \$8.00 a year and still is; that's two cents a day. Well now it's being proposed to be increased to \$24.00 a year, that's six cents a day. Ask anyone in the public what they think about the increase in the CAT Fund. The same exact thing could happen with user fees in swimming pools or refuse pickups or whatever it may be. Because it's a new tax it's dangerous; it's a new item; it's a new charge to the residents of the city.

My basic reason why I've been opposed to it from Day 1 is that our taxing structure is significantly higher than surrounding municipalities. Therefore, we have to have advantages that surrounding municipalities don't have. One of those advantages is us not having user fees. Most municipalities in Allegheny County it costs \$60.00 a year to have refuse picked up. In the city it's part of your taxes. Most municipalities, you have to pay a fee to the volunteer firefighters. In the city you have the service as part of your taxes. In most municipalities you have a user fee for swimming pools. In the city traditionally it's been part of your taxes. Until we can reduce the four percent wage tax which half of that responsibility and I keep saying this, belongs to the Pittsburgh School Board which is a separate entity of government, 1.9 percent of that is the School Board, 2.1 is the city, until we can reduce that and hopefully we will in the near future, I don't think we should be implementing user fees because we are making ourselves non-competitive in terms of a living environment in the City of Pittsburgh and that's been my basic premise and basic philosophy from the start on this issue. We cannot look at the city with blinders on, we have to look in competition to other municipalities to get people to locate here and get people to stay here, not only the Dormonts, Craftons and the Churchhills, but also the Columbus and the Cincinnati's and all the other cities in America. We have to have certain advantages and I believe traditionally this has been one of them. I think we have a good pool system and I think that's reflective of Parks and Recreation. We have 30 some pools in the city more so than other cities in America--a great advantage we have, a great selling point of Pittsburgh. Many cities don't have that, many municipalities don't have that. Let's make that part of our selling tool and let's not damage that for now while our taxes are higher and let's offer this for nothing as we have traditionally done because the taxpayers of this city have paid for our pool system and they are still paying for it through bond issues, the construction of new pools, the revamping of

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some of the pools. Until we can put a dent in the other taxes that are significantly higher than other communities; let's not implement another one.

I'm not optimistic that will happen here on Council today but I'm opposed for it for that basic reason. I believe it's a new fee and the public views it as just another fee of government. And any new fee of government is dangerous because it will never be repealed it seems and it probably always you could bet that it's going to increase somewhere down the line just as we're hearing with other fees that are going on at other levels of government.

So I'm opposed to Bill No. 98 and I will vote in favor of repealing the user fee which is Bill No. 101.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

**Mr. Wagner:**

I'd simply like to state that it does not appear obvious that this bill will pass but I believe it's a valid attempt to eliminate these fees at the appropriate time, early in the year. If they were to be eliminated, it should be now.

Again, I have said in creation of fees, I think that should take place only if there is a reduction in taxes in the City of Pittsburgh. Unfortunately, there is not at this time; therefore, I will support the bill.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Ferlo                      Mr. Wagner

AYES 2                      NOES 7

**VOTING NO:**

Mr. Coyne                      Mr. Pollock  
Mr. DePasquale              Mr. Woods  
Mr. Lyons                      Mrs. Masloff  
Michelle Madoff              (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Mr. Wagner presented**

**Bill No. 219**

**Report of the Committee on Public**

**Safety for February 11, 1988**  
transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 110**

A Resolution entitled, "Resolution providing for an Agreement or Agreements effective January 1, 1988 with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Public Safety, Bureau of Police, and providing for the payment of cost thereof."

Which was read.

Also,

**Bill No. 111**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program; and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 112**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety and providing for the payment thereof."

Which was read.

**Mr. DePasquale:**

Where is Bill 112?

**Mr. Perry:**

It must have been omitted. It's an agreement with 'psychologists for psychological services at a cost not to exceed \$48,000.

**Michelle Madoff:**

Madam President, I think that that is just a motion to allocate the dollars and not discussion of the psychological testing itself.

**Mr. DePasquale:**

Point of order, Madam President. I don't believe we can vote on a bill that isn't in front of us.

**Michelle Madoff:**

The point is, the money is needed and if the bill was left off, we can still vote on it, can you not?

**Mr. Perry:**

I don't know what happened on the File Copies, Michelle.

**Michelle Madoff:**

But is there pressure and need for the money? Can we vote without having it in the File Copy, or do we have to wait?

**Mr. Perry:**

You can suspend that rule, whatever rule that is —

**Mr. Coyne:**

Madam President, it was discussed at Thursday's meeting and I think we all understood it at that time. I think it was affirmatively recommended so it can be voted on without it being there.

**Mr. Pollock:**

Madam President, I move to suspend Council's rules so we can vote on Bill 112 although it's not in front of us.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Ferlo:**

Madam President, I'd like to ask three separate questions and I'd like



support from City Council in this regard.

One is a question that I'd like to have Council, through Madam President, direct to the Solicitor, if he's the correct person, or to Mr. Schneider, the arbitrator for the City. It has to do with the issue of the firefighter pay increases, an arbitration award that was granted to them. I would like to know if there's any truth to the question of whether or not our City is responsible for interest payments for these individuals not receiving in their paychecks since January this increase granted to them as a result of arbitration. I'd like to know that specifically, if we could direct that question to the Solicitor.

**The Chair:**

Give us a note in writing and we'll direct it to the Solicitor.

**Mr. Ferlo:**

Thank you. The second note to the Director of Parks and Recreation or to the Mayor. It has to do with the Leslie Park Recreation Center. As we all know, it burned down and I'd like to know what the viewpoint and position is of the Administration regarding either renovation, rehabbing, reconstruction, something to do with the Lawrenceville Recreation Center, and specifically, what are their plans relative to the destruction of that building.

**The Chair:**

Thank you.

**Michelle Madoff:**

I have two very important items. The first one is a resolution; Mr. Perry, do you want to read it, please? It's the legal counsel and then I'd like to discuss it once it's read.

**Michelle Madoff presents**

No. 220 BE IT RESOLVED, that the Members of Pittsburgh City Council hereby authorize the hiring of a consultant to serve as Council's Legal Advisor for the purpose of providing Council with legal advice.

Relative to the operation of the City of Pittsburgh, at a rate of 25/100 per hour, not to exceed \$40,000 per year, for wages plus allowable expenses chargeable to and payable from Code Account No. 1001-2 Salaries, Wages and Services of Council, as needed.

Which was read.

**Michelle Madoff:**

The reason for my reintroducing the bill is, as you know, my original bill asked for a consultant. The reason I voted to have a full-time legal counsel is that there was not five votes. If we did not have full-time counsel, we were going to lose having any assistance for this Council in the form of a legal person.

Subsequently, the Mayor, as you know, has vetoed the bill on the basis that economically he feels that that department would grow out of bounds. But I felt from his veto that he said it is not his intention to deny Council independent legal advice. Mr. Coyne, at that point, said that he felt that he didn't see anywhere in the statement by the Mayor that he was for it. I said the only way we're going to find out, and it would seem to be six members of Council that agreed at that point, that we reintroduce the bill as a consultant and we will find out whether the Mayor intends to deny us a legal counsel. I believe he does not; I believe what he said in the letter. There are other opinions here. The proof will be in the pudding. We vote for the bill

and the Mayor vetoes it, then we'll know.

And the intentions to have legal counsel as mandated or allowable, I shouldn't say mandated but certainly allowable in the Home Rule Charter, to give us some independent kind of information and to proceed to have a committee that you are going to appoint, Madam President, of three people to look for this person or this firm or this consulting entity so that we would not have law books, a law library, law clerks, etc., etc. That is, indeed, a fear of some of the members of this Council. It was your fear at the time, Madam President, and there was no problem in having a consultant. Let's find out whether the Mayor feels that way and whether this Council is going to stand firm on their desire to have some legal counsel. We're going to find out what we really want here.

**Mr. Woods:**

Madam President and members of Council, in Council's budget we presently have a code account where we can go out and hire any consultant as we deem necessary as long as five members of Council agree to that.

I had a bill in Council some weeks ago that I tabled providing \$50,000 for that code account. I tabled it because we all voted to hire the specific legal counsel. This Wednesday I will ask Council to untable that bill and provide that \$50,000 back into that code account and it will accomplish the same thing.

Secondly, and this is not meant in any way to be derogatory to you, Ms. Madoff, the bill or the resolution just presented is non-binding. The Mayor doesn't have to veto it or anything; it's just a wish of Council. It has no effect at all. But what you're asking, we already have.

**Mr. Lyons:**

I have no qualms with a part-time counsel. One thing I don't know if we're all set on, it would be the same person. As I see it written here, it would be a maximum of \$40,000 a year that would be allowed to that attorney. I see here as an individual that we can use anyone, anytime. Is that the intent of your bill?

**Michelle Madoff:**

No it is not. That was a restatement by Mr. Woods of what he would like to see.

**Mr. Lyons:**

It's not clear in the resolution. It would be well with me, as an individual, if we would just use individuals as we need them. It doesn't have to be the same person. This is all I'm saying.

**Michelle Madoff:**

Madam President, to clarify for Mr. Lyons, my intention is to hire a consultant. That could be a person or a firm; I would prefer a firm because you get a broader spectrum of information. But I do not wish to have my bill restated by Mr. Woods as being the fact that we already can and have had in the past a line item for consultants. What happens, Mr. Lyons and members of Council that are new, we don't usually call on that kind of expertise until we get down to the wire and we have 20 minutes to vote and then under great pressure we say, "Gee, we better get our own legal counsel", as opposed to having somebody aboard or a firm such as Mr. Flaherty has, one of the outstanding firms that gives him over \$200,000 worth of work a year for a stipend of \$65,000. Ours is \$40,000. I would like to have a consulting firm work for us, be available to any member of Council without having

to get five votes to get an opinion that any one of us may want to get. I think I'm very clear. \$40,000.

There's another bill coming up that's been introduced today, we waived Rule 8, it comes up on Wednesday, to get the dollars to substantiate or provide the monies for this legal person or this legal firm. If Mr. Woods would care, he could allocate his \$50,000 when he untables his bill, amend it, and turn it over to — The purpose of this bill is to indeed hire a consulting counsel, not an individual with all the benefits and perks that come along with it, Blue Cross, Blue Shield, pension and et cetera, which the Mayor is attempting to avoid. I got the sense that this Council, indeed, supported that. I hope that this Council is not going to go back to business as usual when the Administration says, "If this doesn't go through now, this business is going to shut down. We have exactly 24 hours, at the most we'll get a week to vote." We need to do it in a professional, informed manner and we need to have that kind of input so we can vote intelligently.

I would hope that you support this bill in its form, albeit a wish. If enough people vote for it, and the money is approved on Wednesday, it will become the will of Council providing the Mayor doesn't take it out. And I don't think he will. But we'll find out what he meant by his letter.

**Mr. Woods:**

Madam President, it's a wish of Council. The Mayor cannot veto it; it doesn't mean anything. If the other bill that was read that's going to go into Committee to provide \$40,000, it will go into that code account for consultants. We still have to go through the same thing and get five members of this Council to vote for that. This is a wish.

If you want to hire a consultant full-time, a legal firm, put it in as a piece of legislation, not as a wish of Council. That's all I'm trying to state.

**Mr. Wagner:**

If I may, Madam President and members of Council, I'm sure all members of Council realize, and I don't know if the public realizes it, there are two types of resolutions that come in front of Council. There's a binding resolution that is law and there is a non-binding resolution that is now. The resolutions prior to the meeting that are ceremonial are non-binding resolutions. Resolutions after the formal reading of bills are non-binding resolutions. This is a non-binding resolution. The resolution asking for a solicitor failed because the vote was not there to override the veto. This resolution, we can pass 100 of them and the mean nothing. Therefore, the significant resolution, the important resolution, was the one that failed a week or two ago. I would simply say to my colleagues, if we want to do this, it has to be in the form of a formal resolution.

**Michelle Madoff:**

I agree with Mr. Wagner. My purpose of bringing it today was that I was instructed that that was the feeling of most of the members of this Council. I wanted to be sure that before we went through the exercise again that, indeed, that is the wish of Council and then I would introduce a formal resolution. I want to know the sense of this Council because the money will have to be provided in any event and I want to know whether the Mayor will veto or we could just have a letter going to him as a wish of Council, would he support having a consultant attorney as opposed to the fact that he vetoed a full-time attorney.

**The Chair:**

We already have money in the budget.

**Michelle Madoff:**

We don't have money in the budget.

**Mr. Ferlo:**

First of all, I'm in favor of the attorney; that's why I originally voted for it. I was upset that other Councilmembers refused to go along with what was a majority of Council, five members. I had raised, after losing that vote, in Mr. Woods' absence, the need to untable his earlier resolution appropriating a larger sum of money under the code account that we had already established. I think there was a \$10,000 figure. If you remember, I had raised that issue when the vote was taken and we were not able to override the Mayor's veto.

None of this is going to mean a hill of beans, quite frankly, unless five members on this City Council who want an attorney are willing to meet, work together, and stick to our guns. I want to see a time established by the Council President where we can meet and discuss this issue of the legal advisor. I'm not saying meet in secret; we can meet right in this room and the media is invited. But we should have a meeting where the five people, especially, who want an attorney can meet and figure out what is the best strategy to develop to get what we want. Personally, I think we should stick to our guns and we should hold up something that the Mayor wants until such time that he yields to our will.

I think it's very clear statutorally that this Council has the power to have its own legal advisor. I'm disappointed that some of the members of Council

who are not part of the majority wouldn't at least afford the opportunity of the rest of us to have what we want; I think its democratic. But until there are five people who are willing to stick to their guns, we're not going to go anywhere.

So, I'd like to see Mr. Woods' resolution untabled and discussed but I would also like to see us set a separate time to discuss the issue of how we can best get the attorney. This calls for a strategy session on how we can get what we want. I'm saying none of this is going to mean a hill of beans unless we're willing to stick to our guns and hold up something the Mayor wants.

**The Chair:**

It seems to me we've discussed this back and forth for weeks now and nothing more can be said about it.

**Michelle Madoff:**

For years, Madam President; for year.

**Mr. Coyne:**

Madam President, I agree with Councilman Ferlo. This Council has expressed its wishes to have an attorney. The Mayor has not seen fit to hear those wishes; he's vetoed it and we were unable to override the veto because of lack of unity on our part.

I will not vote for this resolution, Councilwoman Madoff. I will not support you with this resolution because I feel that this is giving the Mayor Office an opportunity to act as if they are in favor of us having our own attorney, which they're not.

I agree with Councilman Ferlo; I think we need to sit down amongst ourselves and try to get a strategy

whereby we can force his hand. And if it is holding up a vote that he wants, then that's something we ought to do. We have to use our power that the City and the citizens of Pittsburgh have given us.

**Mr. Lyons:**

Madam President, I said the other week when this came to the floor that there are two sides to his letter. One says he's con and one says he's pro. The only thing that Council has the right to ask the Mayor is to come to this august body and explain what he wants. And then the guessing will be completely out and we'll know what he wants; therefore, we can chart our courses from there. That's all I'm saying; that's your answer.

**Mr. Coyne:**

Madam President, I think the Mayor of the City of Pittsburgh is much too important and too busy to be coming down here and explaining to everyone his decisions. I think it's something we need to read and interpret in our own minds and use our own conscience. And anyone who thinks that the Mayor is in favor of it just is not thinking clearly. If any of the Councilmembers want to go down and ask the Mayor, I'm sure we can call him on the phone and ask his opinion, but to think that the Mayor is going to come down here and debate this point with us, and then what's the next point he's going to have to come down and debate and what's the next one he's going to have to come down and debate? He doesn't have time to do that and I think it's ludicrous to even imagine that he would come down and do that.

**Michelle Madoff:**

Madam President, it was my intention when I put this bill forward as a wish of Council to see if there was indeed the sentiment that was expressed

here, that while there wasn't six votes to override a veto for a full-time attorney, there indeed was sentiment to hire a consultant.

I am perfectly agreeable to hold up on this bill until the President of Council calls a meeting where we again discuss how we can go ahead and have a consultant attorney. Since the Mayor has already vetoed the bill, he's not going to change his mind on a full-time attorney and I think to play politics with, "We'll hold up his bill" is not productive.

I have stated my position year after year to have both the legal counsel and the fiscal analyst. I think it's now in the hands of the rest of this Council to see what they want. If we get a legal counsel, you'll have my vote. And I'll hold out until a decision is made by the others as to how they wish to proceed and they have my vote on it.

**The Chair:**

Do you want to withdraw your resolution.

**Michelle Madoff:**

Yes, I will, Madam President.

**Mr. DePasquale:**

Point of order. Am I to believe by comments that were made here today that we're out to blackmail the Mayor? Is this what I'm being told? That's proper conduct of Council?

**The Chair:**

We're on another issue now.

**Michelle Madoff:**

Madam President, we have a legal opinion from Mr. Dan Pellegrini which is

dated January 25, 1988 with reference to the issue of Alcosan and the appointment by this Council and who has the power to appoint, whether this Council does or whether the Mayor has. Since last June, Mr. Wagner has tried to get a legal opinion and wasn't able to get that because it was not a consensus of this Council with five votes to get a legal opinion. Finally, we did get one because it was requested, I believe, as a majority of this Council, as a body.

In his last paragraph he says, this is Mr. Pellegrini's statement, "Accordingly, to remove an improperly appointed Alcosan board member, both the Attorney General and the District Attorney was formally refused to bring the action. Then and only then could the City bring an equitable action to remove the improperly appointed Alcosan board member or members."

I've written a little note to the Mayor today and I want to share that with Council.

"Dear Dick,

Enough is enough. Every time Alcosan and Jeep in particular are zapped, Council as a body is made to look more and more ridiculous.

This letter is to implore you to respond NOW to the public outcry and the requests of Tom Foerster and Barbara Hafer and move quickly to remove Jeep DePasquale from the Board of Alcosan.

The ball is in your court since the mechanism for removal, according to the opinion prepared by City Solicitor Dan Pellegrini, mandates that the Mayor must first formally request that the Attorney General and the District Attorney bring action for removal.

The media challenged both Mr. Lucchino and myself to do something other than complain. I undertook a ratepayers lawsuit. Mr. Lucchino says it's not in his department. So the ball is back to you.

We, your public, anxiously await your leadership and actions.

Respectfully,

Michelle Madoff

MM/lS"

Madam President, this bundle is just the tip of the iceberg in material I've been collecting for ten years on Alcosan. I have a copy of the conferences that took place; the Association of Metropolitan Sewage Agencies in Ft. Lauderdale; the meeting at the Drake Hotel in Chicago in '86; the meeting at Seattle, Washington in '84; the New Orleans meeting; the meetings in Vienna; etc., etc.

I think the issue is best exemplified by a letter to me from a constituent who I do not know; I can't put the face to the name but probably I know him, perhaps someone else does. It says:

"Michelle,

Sorry we couldn't speak tonight. I just wanted you to know that I am angered by Jeep's latest caper to San Diego. I also do not believe you should be the only one to call for his ouster.

I support your suit against him, et al, at Alcosan. I have called Sophie, Mark and Jack and I believe all Councilmembers and the Mayor should make public statements as to their outrage over Jeep's apparent disregard for the public interest. Foerster and Hafer have already spoken.

Jeep is an embarrassment to the people of our great city.

Keep the faith,

Raymond"

I would like to ask, if I may, Mr. Jeep DePasquale, would you please, in light of the publicity that is focusing on all of us members of Council who made the appointments to Alcosan to please step off the Board willingly and resign. Would you care to respond, Mr. DePasquale?

**Mr. DePasquale:**

I won't dignify that with a reply.

**Michelle Madoff:**

Madam President, may I continue? The other people who got calls, were you called by this Mr. Raymond Shotzman? He says he called Sophie, Jack and Mark. Mr. Wagner, were you called by this person? Are you aware of his contacting you?

**Mr. Wagner:**

I don't know.

**Michelle Madoff:**

Well, I think that the letter speaks for the sentiments of the public. We have enough problems with how we vote aye and nay. We have enough problems with the issue of whether we get a legal counsel. I think it's time we stop being the focus of every joke, every butt, every cartoon, and to dignify this Council by professionalizing it. And I ask, in the spirit of that, for Mr. DePasquale to please, voluntarily, remove himself from Alcosan.

And if he does not do that, I would

like to have this Council - he said he would not dignify it with a response - I would then like to have a letter go to the Mayor supporting my letter to him asking him to please get on with taking the spotlight off of this Council.

He has a ruling, he has an opinion from his Law Department and I think it's time that something happened. We have to have the courage to speak out. All the eyes of the City are upon this Council.

I make that as a formal motion; do I have a second? The content of my letter be basically sent to the Mayor in support of my letter.

**Mr. Ferlo:**

I'll second it just to get it on the floor for discussion.

I don't really want to get in the middle of a political battle which is obviously happening here right now on the Alcosan issue and I wish our own Councilmembers would be concerned about City-wide travel as much as travel at Alcosan.

Secondly, I think Commissioner Foerster should be concerned about some of his own appointees to the Alcosan Board.

What I would like to suggest that Council consider in the future is that we start using some of our consultation money in our line item because the one thing that I'm in favor of is abolishing Alcosan. I think it's time that Alcosan become a County department, functioning under County government and should have a director that's responsible directly to the Commissioners just like all the other department directors in the County. And then we can hold someone accountable

for Alcosan and quit this running battle back and forth.

So, I would say, let's get our own house in order. Let's raise the question of Commissioner Foerster's appointees to the Board and let's undertake a study to abolish Alcosan because, as far as I'm concerned, it should be a functioning department within County government.

**Michelle Madoff:**

Madam President, may I respond? If anyone wishes access to my files, they're open. These letters that I have here go back to 1979. We're almost ten years from the first letters and my actions to try to do something about Alcosan.

I don't believe this is a political issue. I believe it is very clear cut in the public's mind that the trips that were taken were by people who don't have the expertise to really understand the highly technical information. I consult in that area; I've been involved for 20 years in the environmental issues. I have not gone to some of these meetings because they were too highly technical in the nature that I felt were somewhat more designed for engineers and people that could relate to me in layman's terms.

It is apparent when three of the five board members go to the Alcosan meeting, three out of five, and we have the assistant to the Director going who really is the person who should be going and perhaps one board member, then something is drastically wrong. And for this Council to not bite the bullet and have the proverbials to stand firm and vote the correct way is appalling. You're all scared and I think it's a disgrace.

**Mr. Pollock:**

Madam President, I can't support

the letter as written but I would ask that the maker of the letter amend it to request that Mayor Caliguiri meet with Mr. DePasquale. I think Mr. DePasquale is entitled to present to Mayor Caliguiri his side of the story. I don't know if he's been entitled to that courtesy anywhere but I think certainly in our system of government and our system of propriety that Mr. DePasquale be permitted to discuss this matter with Mayor Caliguiri before Mayor Caliguiri institutes any action. So, I would ask that the letter be amended to request that Mayor Caliguiri ask that he and Mr. DePasquale meet to at least discuss this matter before taking any further action.

**Mr. Lyons:**

Madam President, I'd like to address what Ms. Madoff just said. I'm not afraid of anyone and it's well known that there are ill feelings between Ms. Madoff and Mr. DePasquale. There's no fear that I have of anyone. There's a personal vendetta here which I wish to have no part of.

**Michelle Madoff:**

Madam President, I don't believe this is a personal vendetta. I think it is based on facts that go back ten years of my being on this Council. I innocently, when I got to this Council, being a neophyte, offered to serve on Alcosan because I had the expertise and was told it would become a black/white issue. I was appalled.

If there is a battle between Mr. DePasquale and myself, it is because of this kind of action. I don't care if it was Mr. DePasquale, Mr. Lyons, or whoever it would be; I would be opposed to that kind of action. And if I'm the only one that has the courage to say so, so be it.

And to answer Mr. Pollock, Madam



President, Mr. DePasquale has already met, my understanding is that he has already met with the powers that be and with the Mayor on several occasions and I think it is his decision to stand firm.

**Mr. Wagner:**

Madam President and members of Council, it took me six months to clarify the responsibility of appointees on Alcosan. This Council was in the dark for 13 years, the whole City was in the dark for 13 years, the whole County was in the dark for 13 years as to how appointees should be made to Alcosan. I had to have read in the newspapers at least 100 times that it's Council's responsibility to appoint to Alcosan.

I will say, hopefully for the last time, it's not Council's responsibility to appoint or to remove from Alcosan. That was backed up with our Solicitor's legal opinion. I believe every member of Council received a copy of that opinion. It is the responsibility of the Executive branch of government to appoint or remove from authorities. The Alcosan issue is not a councilmatic issue.

I echo Councilman Otis Lyon's opinion that an issue brought in front of this Council pertaining to another Councilmember, even though this issue is a very, very sensitive public issue, at this point in time, you can't go wrong at taking a shot at Alcosan. Nothing can happen except that you'll get public praise if you take a shot at Alcosan. It is not within the powers of this Council to do anything at Alcosan, and that has been backed up with a legal opinion that every Councilmember received three weeks ago.

**Mr. Pollock:**

Point of order. The motion on the floor is to send a letter to Mayor

Caliguiri, not to take any other action than that.

**The Chair:**

Exactly, and we're going to move on that.

**Mr. Coyne:**

Madam President, I would like to reiterate what Councilman Wagner and Councilman Lyons have said previously. It seems too often that when Councilwoman Madoff isn't getting her way, it's a question of courage; it's a question of our stupidity, it's a question of Council doing all sorts of crazy things.

We do not have the authority. It's in English; read the legal opinion. It's in front of us in black and white, Councilwoman. We do not have the authority. It's the Mayor's business, it's the Commissioner's business; they appoint. If they deem to do something regarding Mr. DePasquale's actions at Alcosan, it is their business to do so. If we fail to do so, it is not because we lack courage, it is not because we lack intelligence, it is not because we lack intestinal fortitude; it is because we have no authority to do so.

**Michelle Madoff:**

Madam President, then I suggest that we amend the rules of Council and we no longer has wishes of Council. We take on every issue in the whole world and we vote on those issues of which we have absolutely no authority to enforce; should we name the USS Submarine, should we not name it? Six weeks after its already been named, we hold a public hearing on it. I mean, this is ludicrous. Everybody is begging the issue.

This is not a vendetta between Mr. DePasquale and myself; it is what is

must move with the District Attorney and the Attorney General before he can do anything. Let's get the ball rolling.

**Mr. DePasquale:**

Madam President, I fully intended not to say a word on this issue with one exception. I think I should address a question to Madam Madoff and have her tell me where it's written that a duly authorized trip by an Alcosan board member is illegal. This is what she's saying, that we took an illegal trip, did something wrong. Find where that trip is illegal.

### The Chair:

**Michelle Madoff:**

## The Chair:

And on the question, "Shall the motion pass finally?"

**Ayes:**

AYES 2                      NOES 4

|             |                          |
|-------------|--------------------------|
| Mr. Lyons   | Mr. Woods                |
| Mr. Pollock | Mrs. Masloff<br>(Pres't) |

We are not going to force the Mayor to do anything. All I'm saying is that it's time to take a stand and to ask the Mayor to follow through on his own legal counsel's views which were that he

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(MR. COYNE, MR. DEPASQUALE AND  
MR. WAGNER ABSTAINING)

And a majority of the votes of  
Council not being in the affirmative, the  
motion was defeated.

**Michelle Madoff:**

The fun is yet to happen.

**Mr. Woods** moved to approve the Minutes  
of Monday, January 25, 1988 and  
Monday, February 1, 1988.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of history is essential for a full understanding of the present and for the development of a sense of national identity.

2. The second part of the paper discusses the role of the federal government in the development of the United States. It is argued that the federal government has played a central role in the development of the country, and that its actions have shaped the nation's history.

3. The third part of the paper discusses the role of the states in the development of the United States. It is argued that the states have played a central role in the development of the country, and that their actions have shaped the nation's history.

4. The fourth part of the paper discusses the role of the people in the development of the United States. It is argued that the people have played a central role in the development of the country, and that their actions have shaped the nation's history.

5. The fifth part of the paper discusses the role of the courts in the development of the United States. It is argued that the courts have played a central role in the development of the country, and that their actions have shaped the nation's history.

6. The sixth part of the paper discusses the role of the military in the development of the United States. It is argued that the military has played a central role in the development of the country, and that its actions have shaped the nation's history.

7. The seventh part of the paper discusses the role of the economy in the development of the United States. It is argued that the economy has played a central role in the development of the country, and that its actions have shaped the nation's history.

8. The eighth part of the paper discusses the role of the culture in the development of the United States. It is argued that the culture has played a central role in the development of the country, and that its actions have shaped the nation's history.

9. The ninth part of the paper discusses the role of the environment in the development of the United States. It is argued that the environment has played a central role in the development of the country, and that its actions have shaped the nation's history.

10. The tenth part of the paper discusses the role of the future in the development of the United States. It is argued that the future has played a central role in the development of the country, and that its actions have shaped the nation's history.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, February 22, 1988

No. 8

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, February 22, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Lyons:

This resolution is in keeping with the Black History Month that is being observed in Pittsburgh.

##### Mr. Lyons presents

No. 268 WHEREAS, on Sunday, February 21, 1988, marks the celebration of over two hundred years since Richard Allen, the first consecrated Bishop, founded the African Methodist Episcopal Church, and

WHEREAS, Richard Allen was born a slave on February 14, 1760 to Benjamin Chew in Philadelphia, Pennsylvania, later being sold along with his family to Garrettson (Sturgess farm) near Dover in Delaware State, and

WHEREAS, after playing a great part in the spiritual conversion of his owner, Allen purchased freedom for his brother and himself for two thousand dollars. From that time Richard Allen traveled extensively preaching the Gospel, and

WHEREAS, over 7,000 churches are actively in service in the United States, Canada, England, the Caribbean and Africa making up the nineteen Episcopal districts. This is a reflection of the cultural, religious effort which has inspired and maintained the achievements that have enabled us to enter the third century of our rich heritage.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims February 21, 1988, as the celebration of African Methodism which will take place at Bethel African Methodist Episcopal Church, the oldest African Methodist

Episcopal Church west of the Alleghenies.

Mr. Lyons moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Pollock presents

No. 269 WHEREAS, the United States post office located on Walnut Street in Shadyside is one of the busiest post offices in the City of Pittsburgh; and

WHEREAS, said post office is used by the residents, shoppers and the businesses of Shadyside; and

WHEREAS, said post office is one of the key facilities that enhances the attractiveness and convenience of the Walnut Street shopping district as a vital part of the neighborhood; and

WHEREAS, the Shadyside community is striving to maintain a comprehensive integration of its residential and commercial districts; and

WHEREAS, the loss of the post office in the heart of its business district will be a significant impairment of the health and vitality of the neighborhood; and

WHEREAS, United States Postal Service authorities have determined that the Shadyside post office will be closed February 29, 1988 and no other location for said post office will be established.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby respectfully urge the Postmaster of the City of Pittsburgh to re-examine the decision to close the post office on

Walnut Street without providing an alternative Shadyside neighborhood facility; and

BE IT FURTHER RESOLVED, that the Mayor and the Council offer their assistance in any way possible to keep a post office on or near Walnut Street.

Mr. Pollock moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Pollock:

Madam President and members of Council, I have two people here to comment on this but before they do I'd like to just take a couple minutes to discuss the situation myself.

About 15 or 20 years ago there was a wonderful movie called, "The Russians Are Coming, The Russians Are Coming". It concerned the inadvertent landing of a Soviet submarine in a small New England town. The Soviet sailors got off the submarine and were parading through the town with their hands up in the air trying to figure out what they were going to do to get back to the Soviet Union because they were just lost. The town had a lot of senior citizens, veterans of World War I and World War II, and they got their militia together and their muskets and they figured that this was Armageddon, that the Soviet Union was now attacking the United States and they chose this little New England coastal town as the place where they were going to attack.

Just when the two sides were together and the Soviets were going to defend themselves with their machine guns and the old veterans were there with their old muskets getting ready to

fire, there was a little shout in the distance from a little boy on the top of a roof. Both sides put down their guns and ran over to the roof to try and save this little boy from falling. Needless to say, that was the end of the conflagration.

I think we have a perfectly analogous situation in Shadyside. As everyone in this room knows, we certainly have a state of turmoil with the residents and the commercial district basically at odds over the future of the area and the situation with parking and the development and so forth. But it's important to note that both sides are totally supportive of the effort to keep this post office in Shadyside. We're all united; the residents, the elected officials, the businesses, the Shadyside Action Coalition, the Shadyside Chamber of Commerce, and we've been working very closely with both Senators' offices, Senator Heinz' office and Senator Specter's office, and especially with Congressman Coyne's office to try and turn this decision around. The absence of a post office in this very tightly knit residential community and this important business district would be a great, great loss to the community.

So far we haven't had a great deal of success with the Postmaster and we're hoping that this resolution that I'm delighted that Council passed unanimously and continued efforts from Congressman Coyne's office and Senator Heinz' office and a massive outpouring of support for this post office from the residents and the business district will turn this decision around.

**Mr. DePasquale:**

Mark, if I may. I guess you're aware of the fact that they were supposed to build a post office at the corner of Baum and Center and that was to house Bloomfield, Shadyside and

Oakland. They had informed us that the Oakland station was going to close as of March; that was back about six months to a year ago. I understand, for some reason or another, the monies dried up and they haven't proceeded with building that and they've told us that obviously the Oakland post office will not close until that building is completed. I would imagine the same holds true of Bloomfield. I'm surprised and shocked that they would close the one in Shadyside and have no other station available.

**Mr. Pollock:**

You've accurately stated it. I didn't realize that Oakland was going to be closed as well. At least they're not going to close it until they have another facility but this one is supposed to be closed a week from today unless we can stop it somehow.

With me are Mary Alice Lightle who is the President of the Shadyside Action Coalition and Frances Wright who represents one of the Block clubs in Shadyside.

**Ms. Lightle:**

Let me say on behalf of Shadyside Action Coalition that we appreciate the support of City Council and the Mayor's Office in helping to maintain the post office in the Shadyside location. I find that one of the advantages of living in the City is the ability to obtain basic services within walking distance of your home and certainly the post office is an example of one of those services.

So, again, I'd like to thank you all very much for your support.

**Ms. Wright:**

As a resident of Shadyside for the

last nine years, my comment would simply be to City Council that Pittsburgh is to remain a liveable city and part of that liveable quality is its neighborhoods, so there has to be a concerted, on-going effort by all of us to maintain those actual neighborhoods, and the loss of the post office will mean that Shadyside is less of a neighborhood in terms of the City of Pittsburgh.

Thank you.

**Mr. Ferlo:**

Madam President, I think this is a very important issue and I hope that we would communicate directly to Senator Heinz; he's up for re-election and if he wants to do some good for the City I think he should join with us in communicating his concern to the Postmaster General.

**The Chair:**

Mr. Perry, will you see that Mr. Heinz gets a copy of the resolution?

**Mr. Perry:**

Yes.

**Mr. Woods:**

Madam President and members of Council, if I may I'd like to call a few of my friends and former colleagues to come up; Mr. Len Kenna, Mr. Ed Pelger, Jim Blose, Paul Beaner, Ralph Hugo and representing the contractors, Mr. Jim Roth and his wife, Mrs. Roth, and Ken Ensco.

This is the first time I've ever come up here to read a proclamation so you all know it means something to me to present something to my own local, my own industry.

After I present this, these men want to present something to our Mayor, Richard Caliguiri.

**Mr. Woods presents**

No. 270 WHEREAS, the Sheet Metal Workers International Association was established to assure better economic status and working conditions for those employed in the performance of sheet metal work; and

WHEREAS, the Sheet Metal Workers International Association has provided skilled manpower to do the quality work required by the industry and has established and conducted training programs using industry personnel and resources to assure that skilled manpower meets the needs of the industry; and

WHEREAS, the skills of the sheet metal worker provides many comforts such as heating and air conditioning systems, provides energy-efficient, clean, healthy air systems to improve the quality of air and life in the workplace and, more importantly, provides protection to the residents of the City of Pittsburgh by the installation of roofing systems; and

WHEREAS, many magnificent structures built in this great City are accredited to the skills of the sheet metal workers, and these masterpieces contribute to the astounding beauty of Pittsburgh; and

WHEREAS, the works of these craftsmen inadvertently go unrecognized by the residents of the City of Pittsburgh and the County of Allegheny.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls public attention to the magnificent works of



the Union Sheet Metal Workers, recognizes the contributions made to the health, safety and comfort of the citizens of the City of Pittsburgh, and acknowledges the conscientiousness and faithfulness of the Sheet Metal Workers International Association in the representation of its members for the past one hundred years.

BE IT FURTHER RESOLVED, that on the occasion of the 100th Anniversary of the founding of the Sheet Metal Workers International Association, City Council does hereby proclaim the week of February 21, 1988 as "SHEET METAL CRAFTSMANSHIP IN THE CITY OF PITTSBURGH".

Mr. Woods moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Woods:

First I would like to call Mr. Len Kenna who is our Business Manager for Local No. 12. Len, would you like to say a few words?

Mr. Kenna:

I would like to thank the Mayor and the City Council for this recognition, and believe me, we appreciate it. If you look around this City, you will find the work of the sheet metal worker is quite fabulous. With our education program, our apprentices receive college credits to enable them to further their education in our field.

Thank you very much.

Mr. Woods:

Now Mr. Jim Roth, past President

of the Contractors Association.

Mr. Roth:

Representing the contractors who hire the sheet metal workers from Local 12 in Western Pennsylvania, I would like to comment that celebrating their 100th anniversary, they have chosen a very fitting theme. The theme is generations of craftsmen. With the sheet metal worker, nothing could be truer than focusing on craftsmanship. The work that the sheet metal worker does for the residents of Pittsburgh as cited in the proclamation just scratches the surface of the craftsmanship, the training and the quality that goes into the work that is performed by these journeymen and apprentices every day.

I would like to thank the Mayor and the residents of the City of Pittsburgh, the Council, for their support of organized labor and the construction industry over the years.

Thank you very much.

Mr. Woods:

Thank you, Jim.

Now I would like Mayor Caliguiri to please come up. Mr. Jim Roth has something to present to you.

Mr. Roth:

On behalf of the sheet metal industry, I would like to present this replica of the statue we have in Washington, D.C. This thing is very heavy and I think somebody better help the Mayor carry this back.

Mayor Caliguiri:

Thank you. That is heavy but it's a marvelous piece of work and I believe it

epitomizes what this union and its membership and leaders and contractors actually can accomplish here. It's really and art. It's just not people hammering things together; you can see the artistic work on this. It's absolutely marvelous.

Let me congratulate you on your 100th anniversary because it's very seldom that anybody sustains themselves for 100 years and I think it's a tribute to yourselves, the members, for doing what you've done for this City of Pittsburgh.

I'll accept this on behalf of myself and members of City Council who really put together the opportunity for people like yourselves to be able to show what you're able to do in this City under our Renaissance. I would just hope that we're able to hammer out many, many more things like this in the future with future renaissances that are going to come along. That's our responsibility here, myself, members of Council, and, of course, the entire private sector to keep investing in this City. That's what we want to continue to do, to keep you working, all of you and your members, and doing the fine work that you've done because without you, we wouldn't have the Renaissance here. You've made it happen. We can only pass legislation, try to appropriate the money and try to get people involved; but it takes yourselves, your union and the contractors, really, to make it work.

This is a beautiful, beautiful piece and I have two aides that are going to carry it back for me, I'm sure.

So, on behalf of myself, again, and the entire people of this City, I congratulate you for your 100 years; keep it going fellows, because we need you. Thank you.

#### Mr. Coyne presented

No. 221 Resolution amending Resolution No. 880, approved November 12, 1987, effective November 19, 1987, entitled: "The issuance of a warrant in favor of Western Pennsylvania Equipment Corporation, in the amount of \$2,342.00 in payment for the purchase of steel shelving for concessions area, storage of inventory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof," by changing the wording from (for the purchase of plants to the purchase of "steel shelving"). Chargeable to and payable from Code Account PCTF, in the Department of Parks and Recreation.

Also,

No. 222 Resolution authorizing the issuance of a warrant in favor of Dennis Berecky, 303 Lafayette Street, Pittsburgh, PA 15214, in the amount of \$3,600.00 in payment for the use of certain properties located at 2113 Perrysville Avenue, Pittsburgh, PA 15214, formerly known as the Perry South Senior Center, chargeable to and payable from Senior Citizens Program Trust Fund (S.C.P.T.F.), in the Department of Parks and Recreation.

Also,

No. 223 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Agriculture, in the amount of \$1,240.00 in payment for the testing of 30 employees for certification as commercial applicators, chargeable to and payable from Code Account 1801, Miscellaneous Services, in the Department of Parks and Recreation.

Also,

No. 224 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$768.44 in payment for utility costs for the Sheraden Senior Citizen Center, chargeable to and payable from Code Account 1803, Utilities, in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 225 Resolution amending Resolution No. 75, approved February 2, 1987, effective February 9, 1987, entitled: "Providing for an Agreement or Agreements with the American Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1987 and providing for the payment of the cost," by changing the name of the organization the Agreement or Agreements will be made with and changing the year the services will be rendered in. (From with the "American Wind Symphony" to the "American Waterways Wind Orchestra"). The cost of said services shall not exceed \$25,000.00, chargeable to and payable from Code Account 1833, Recreational Activities, Concerts in the Department of Parks and Recreation.

Also,

No. 226 Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account 1833, Recreation, Concerts in the Department of Parks and Recreation.

Also,

No. 227 Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, Recreation, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 228 Resolution providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838, Recreation, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 229 Resolution providing for an Agreement or Agreements with various independent contractors for the furnishing of professional services for the purpose of hiring taxonomists to catalogue the plant collection at Phipps Conservatory, for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account Phipps Conservatory Trust Fund (PCTF), in the Department of Parks and Recreation.

Also,

No. 230 Resolution providing for a lease or leases and/or a License Agreement or License Agreements for the use of certain City property by community non-profit organizations, in conjunction with the Senior Citizens' Program, for a nominal fee of \$1.00 per year. The City Treasurer is hereby

authorized and directed to deposit all funds received upon the execution of any such Lease(s) or License Agreement(s) in the Senior Citizens' Program Trust Fund (S.C.P.T.F.). The properties and the organizations to which this resolution shall be applicable shall include, but shall not be limited to the following: McKinley Park Recreation Center; West Penn Recreation Center; The Car Barn; ELDER-AD0, Inc.; CYA/Stephen Foster; HGGH Council, Inc.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 231. Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Mark McCormick to attend the "Remaking Cities Conference" at Three Gateway Center, Pittsburgh, PA, March 2-5, 1988, at a cost not to exceed \$393.75, payable from Code Account No. 1482, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 232 Resolution transferring the aggregate amount of \$179,000.00 from various Code Accounts to Code Account 42-1, Reserve for Unsettled Wages and Labor Contracts. — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 233 Resolution Repealing

Resolution No. 480 of 1987, entitled: "Authorizing and directing the Director of the Department of Engineering and Construction to allow the substitution of work, deletion of work, addition of work and to make other work change orders within the original Councilmanic amount."

—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Engineering and Construction.

Also,

No. 234 Resolution amending Resolution No. 1153 of 1982 which provided for Paramedic Services for the Civic Arena Corporation by changing where the funds shall be deposited from the EMS Reimbursement Trust Fund to the General Fund of the City of Pittsburgh. —(SPONSORED BY MR. FERLO)

Also,

No. 235 Resolution amending Resolution No. 1152 of 1982, which provided for Paramedic Services for the University of Pittsburgh by changing where the funds shall be deposited from the EMS Reimbursement Trust Fund to the General Fund of the City of Pittsburgh. —(SPONSORED BY MR. FERLO)

Also,

No. 236 Resolution amending Resolution No. 1148 of 1982 which amended Resolution No. 519 of 1981, which established the EMS Reimbursement Trust Fund, by changing where reimbursements are to be deposited from the EMS Reimbursement Trust Fund to the General Fund of the City of Pittsburgh. —(SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Public Safety.

Also,

No. 237 Communication from Councilman Jim Ferlo, amending Rule XII of the Rules of Council to read: "No rule of the Council shall be amended or changed, except by a majority vote of the members elected thereto, and after one week's previous notice to the members of Council in writing of such change desired to be effected."

—(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Lyons presented**

No. 238 Resolution providing for the issuance of a warrant in favor of Morris Knowles and Associates, Inc., to cover additional printing costs, in the amount of \$423.57 being in addition to the original contract price of \$56,784.00 on Controller's Contract No. 28626, chargeable to and payable from the Infrastructure Analysis Account CP 83-10.

Which was read and referred to the Committee on Finance.

Also,

No. 239 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 6 & 7, by changing: From "R4" Multiple-Family Residence; "C3" Commercial; "M1" and "M3" Industrial Districts to "S" Special; "R2-T" Townhouse Residence and "C3" Commercial Districts certain properties located in the East Allegheny Community generally bounded by: NORTH CANAL STREET; CEDAR AVENUE; NORTH AVENUE and VINIAL STREET, 23rd Ward.

Also,

No. 240 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the Administration of City Programs and projects at a cost not to exceed \$240,000.00, chargeable to and payable from the Office of the Mayor, Code Account 1017, Miscellaneous Services, B-5 Development Services.

Also,

No. 241 Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of four (4) single family units to be constructed in the 26th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The sales price for the units is \$71,000.00. Financial assistance will be provided to the individual purchasers of these units through the Neighborhood Housing Program. The assistance will be in the form of deferred second mortgage loans, in the amount up to 33% of the total development cost. The total amount of Neighborhood Housing Program funds set aside for this project will not exceed \$92,000.00. The redeveloper is a Pennsylvania Corporation. The officer is Thomas E. Cox, President. The address of the corporation is Suite 200, 1000 California Avenue, Pittsburgh, PA 15212. The property addresses are as follows: 2524 North Charles Street; 2526 North Charles Street; 2532 North Charles Street and 2534 North Charles Street.

Also,

No. 242 Resolution approving execution of a Contract for Disposition

of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of Block 45M, Lots 70, 71, 74, 75 80, 161, 162, 163 and 164 for the sum of \$8,000.00 in the 26th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund Cooperation Agreement. The redeveloper plans to construct four single family houses on this property. The Authority will provide financial assistance to the purchasers of these houses. The sale price will be approximately \$71,000.00. The property is located in the 2500 block of N. Charles Street. The property is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper is a non-profit corporation located at 1000 California Avenue, Suite 200, Pittsburgh, PA 15212. The officers are: David Spitzer, Chairperson; Barbara Burns, Vice-Chairperson; Willana Carter, Secretary; Thomas Samuels, Treasurer; and Thomas E. Cox, President. (RESIDENTIAL CONSTRUCTION)

Also,

No. 243 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bennett Elderly Housing, Inc. for the sale of Parcel 1 for the sum of \$50,000.00 or the HUD-approved value, in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 — Homewood South Project. The redeveloper plans to construct a 52 unit apartment building for the elderly and handicapped under the HUD Section 202 Program. The property is located at Bennett and Sterett Streets. The redeveloper's Minority/Women Business Enterprise Plan was approved by the Minority/Women Business Enterprise

Committee at its February 11, 1988 meeting. The estimated development cost is \$2.6 million. The redeveloper is a non-profit corporation with its principal office at Two Gateway Center, 10th floor, c/o ACTION-Housing, Inc., Pittsburgh, PA 15222. The members are: Retirement Housing Foundation, Long Beach, CA - Rex Chapman, President; ACTION-Housing, Inc., Pittsburgh, PA - Jonathan E. Zimmer, Executive Director; and Better Block Development Corporation, Pittsburgh, PA - Reverend George A. Fitch, President. (APARTMENT BUILDING FOR THE ELDERLY)

Also,

No. 244 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Jack Sproul and Eric Woods to attend a seminar in Labor Standards in Construction Contracting, Meadville, PA, March 22, 1988, at a cost not to exceed \$220.00, payable from the CDPA 1986, Code Account.

Also,

No. 245 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Andrea Wright-Banks to attend the Annual Spring Conference of the National Community Development Association, Washington, D.C., April 12-15, 1988, at a cost not to exceed \$1,022.00, payable from the DCPA 1986, Code Account.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 246 Communication from Alex Sciulli, Director, Department of Water,

requesting authorization for Dr. Stanley States to attend the Association of Safe Drinking Water Administrators Seminar, Charleston, South Carolina, February 22-25, 1988, at a cost not to exceed \$1,000.00, payable from Code Account No. 1922, Miscellaneous Services, Administration Division. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Water.

Also,

No. 247 Communication from Councilwoman Michelle Madoff, amending Rule VIII of the Rules of Council to read: "(c.) All amendments made to any bill proposing an ordinance or resolution can be voted on without being in writing before the final vote is taken on the bill." --(SPONSORED BY MICHELLE MADOFF)

Which was read.

Mr. Pollock presented

No. 248 Resolution providing for the issuance of a \$810.00 warrant in favor of William and Mary Ann Crawford in settlement of claim for sidewalk damage by City tree roots at 3238 Bainton Street, payable from Code Account No. 46, Judgments.

Also,

No. 249 Resolution providing for the issuance of a \$1,041.28 warrant in favor of Linda D. Williams in settlement of claim for automobile damage by a City Police vehicle at Jordan Way on October 31, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 250 Resolution providing for a

Professional Services Agreement or Agreements for the administration of the City's Workers' Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed \$600,000.00, chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Department of Finance.

Also,

No. 251 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Equipment for the Department of Personnel and Civil Service Commission at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 252 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara King to attend a spring conference sponsored by the National Job Training Partnership in Orlando, Florida, April 16-20, 1988, at a cost not to exceed \$965.00, payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 253 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend a meeting of the Task Force for the Pennsylvania Department of Labor & Industry, in Harrisburg, PA, March 4, 1988, at a cost not to exceed \$287.00, payable from the JTPA-1 Trust Fund, federal funds.

Which were severally read and referred

to the Committee on Finance.

**Mr. Wagner presented**

No. 254 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for himself to attend and participate in a special Anti-Defamation League Law Enforcement Mission to Israel, March 13-22, 1988, at no cost to the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 255 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Mary Fleming, James Russell and John Yorio to attend the Eastern States Building Officials Federation 1988 Annual School at the Fallsview Hotel, Ellenville, New York, March 9-11, 1988, at a cost not to exceed \$1,200.00, payable from Code Account No. 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

Also,

No. 256 Communication from Councilman Jack Wagner, amending Rule

IV of the Rules of Council to read: (a) "At its organization meeting or thereafter Council shall, by a majority vote of all Council Members, elect one member to serve as 'President Pro tempore' for the ensuing term." And by adding, (b) "In the absence of the President and the President Pro tempore, the members shall elect a temporary President Pro tempore to Chair that meeting, provided there be a quorum present."

Which was read.

**Mr. Woods presented**

No. 257 Resolution providing for an Agreement or Agreements with the Buncher Company relating to the acceptance of certain property of the Buncher Company to be used to relocate Glen Mawr Avenue and the vacation of the old Right-of-Way in the 20th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 258 Resolution providing for a Contract or Contracts or use of existing Contracts for the renovation or repair of concrete streets throughout the City at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account PW.88-04, Concrete Overlay Program.



Which was read and referred to the Committee on Public Works.

**The Chair presented**

No. 259 Communication from Michael Perry, City Clerk, requesting permission for John Mascio, Assistant Capital Budget Controller, to attend the National Community Development Association's Annual Conference in Washington, D.C. from April 12-15, 1988, at a cost not to exceed \$1,100.00, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council. The Conference will focus upon funding issues surrounding the Community Development Block Grant Program, and will explore strategies municipalities can employ to sustain this program in light of recent cut backs in federal funding.

Which was read and referred to the Committee on Finance.

Also,

No. 260 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the unfair property tax assessment increase levied on County and City property owners by the Board of Property Assessment. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

**Michelle Madoff:**

Point of order. Wasn't the hearing on the bill for the assessments cancelled?

**Mr. Perry:**

Yes but now we have a petition from the residents saying that they want a hearing.

**Michelle Madoff:**

But how are we going to get the assessor to be here when he said that he won't come, that it was inappropriate and that he would not be here? We had a letter to that effect.

**The Chair:**

We'll pursue that and see if legally he can refuse to appear, even though it's a waste of time.

Also,

No. 261 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of December 31, 1987.

Which were read, received and filed.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 262

Report of the Committee on Finance for February 17, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 73

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Humphrey, Herbert, and Alber in the amount of \$8,842.16 for payment for work related to the production of the MBE/WBE 1986 Annual Report, furnished for the benefit of the City without

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previous authority of law; and providing  
for the payment thereof."  
(AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferio**

Discussion. Since there's been  
lengthy debate on the MBE report, I  
won't discuss it here only to vote no  
again and I would like my comments  
brought forth from the previous meeting.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S REMARKS ON BILL NO. 73 -- WEDNESDAY,  
2/17/88)

Mr. Ferlo:

Mr. Pollock, I would like Director Lurcott to come to the table.

Since this is about the fifth time we have discussed this and I haven't changed my opinion on the fact that we should not be paying for this bill in the first place, there is an amendment based on your dialogue and discussion with Duquesne Light amending it downwards of \$3,000.00.

The point I would like to establish Mr. Pollock has a very important point and to Chairman Lyons.

There was no interim approval whatsoever on this bill. That's a very important principle. That if we're not going to stick to our guns on that principle, then we might as well not serve around this table and spend hours debating and discussing financial bills before the city that have to be paid. There's a very important principle here that no interim approval was sought on this bill. What we're doing in approving this, aside from the politics of the fact that the report is not worth paying for and it should come out of the Mayor's expense account, the more important point is that we are establishing a principle here of allowing a department director, in this case either Mr. Lurcott or Reverend Simms of the Mayor's Office, and I'm not sure to this date who exactly is the person responsible, of basically going out and doing what they want. And if we're going to establish this principle, the problem that I have is that it's going to be a principle that other department directors are going to soon follow.

Now we may be morally obligated to pay this bill in defense of Mr. Lurcott or Reverend Simms, aside from the fact that it should not even have come before us. But we're establishing a very bad principle here for department directors to do what they want and then basically expect that Council is going to rubber stamp their approval. Now it may be nice if the Director went back and got \$3,000.00 in extra dollars out of Duquesne Light.

And I want to close by saying that the confusion that existed at the last meeting that somehow the City will be sued--let's be very, very clear. The only person that will be sued and the only person that can be a legal party in this suit is the Director or Reverend Simms or whoever the individual is on the city payroll who initiated this bill either with Duquesne Light or with Humphrey, Herbert and Alber and there's enough case law on the books that will not make the City of Pittsburgh as a municipality responsible for some individual who goes out and incurs a bill. And if that's not going to be the case, then we may as well wrap it up and go home and not even engage in legislative dialogue. And we have no purpose, we have no function under the Home Rule Charter.

So I hate to crucify the Director here and I hate to bring him up to the table and make an example out of him but the problem is we're allowing a very dangerous precedent to be initiated in approving this amended amount. So I'm still voting no on it.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Lyons      | Mr. Woods    |
| Mr. Pollock    | Mrs. Masloff |
|                | (Pres't)     |

AYES 6                      NOES 3

(MR. COYNE, MR. FERLO AND MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 142

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Environmental Resources, Certification, Licensing and Bonding: 6th Floor, Fulton Building, P.O. Box 2063, Harrisburg, PA 17120 in the amount of \$1,400.00 in payment for Certification of the Water Treatment Plant Laboratory, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act of May 1, 1984 and providing for the payment thereof."

Which was read.

Also,

Bill No. 144

A Resolution entitled, "Resolution providing for the issuance of a \$1,025.07 warrant in favor of Gary L. Brooks in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 145

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of design/programming new or revising existing miscellaneous data processing and/or automated information systems/applications for the Departments of Public Works and Finance at a cost not to exceed Forty-Five Thousand Dollars (\$45,000.00) for the Bureau of Information Systems, City

Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 146

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provisions of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed Thirty-Five Thousand Dollars (\$35,000.00), payable from Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 147

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed Fifty Thousand Dollars (\$50,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Mr. Ferio

On Bills 145, 146 and 147, I'm voting no on all three of these professional service agreements in

relation, supposedly, to external professional consultants to help on the City's computer systems in various departments. After discussion at the table with the CIS manager, I was still not satisfied that it was worth spending \$130,000 for this additional expertise. I think clearly there was not a good indication from the manager as to what the in kind contribution would be from the computer companies on helping to train staff on their own equipment. There was not a good enough effort made at receiving in kind help and assistance from Carnegie Mellon and the University of Pittsburgh, specifically.

Secondly, I find it disappointing that there's not in-house on the payroll expertise in relation to designing and implementing some of the systems that the professional service contracts hope to perform.

So, I am voting against all three of these bills, for the \$130,000. I think it's a waste of money.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 148

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Finance on behalf of the City of Pittsburgh, to lease to Tri-River Marine, Inc., six hundred seventy six (676) lineal feet of wharf frontage on the Ohio River near the foot of Main Street, for a term of five (5) years, subject to a ninety (90) day cancellation clause with year to year renewal provisions, at a rental of Eight Hundred Forty Five (845) Dollars per month, and providing for certain terms and conditions."

Which was read.

Mr. Pollock moved to recommit Bill No. 148.

Mr. Woods seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 149

A Resolution entitled, "Resolution Repealing Resolution No. 38, Item G, approved February 2, 1987, which authorized the sale of property in the 19th Ward, being a 2 Story, Brick house and garage, located at 1529 Orangewood Street, designated as Block 35-H, Lot 75 to Don Baker, for the sum of \$7,500.00."

Which was read.

Also,

Bill No. 150

A Resolution entitled, "Resolution Repealing Resolution No. 446, Item D, approved June 4, 1987, which authorized the sale of property in the 12th Ward, being a 2 Story, Brick house located at 1323 Pointview Street, designated as Block 173-J, Lot 28, to Beverly Davis, for the sum of \$3,500.00."

Which was read.

Also,

Bill No. 151

A Resolution entitled, "Resolution, Whereas, City Council has heretofore enacted Resolution No. 110, Item A, approved March 2, 1983, for the sale of property in the 1st Ward, being a 2 Story, Brick house, located at 2034 Forbes Avenue and a vacant lot, located at 2034 Tustin Street, designated as Block 11-K, Lots 163 and 246, to Willard T. Harrison, for the sum of \$2,000.00. At an Auction, W.R. Kaelin became the Successful Bidder, for the sum of \$2,200.00."

Which was read.

Also,

Bill No. 152

A Resolution entitled, "Resolution Repealing Resolution No. 342, Item K, approved April 23, 1987, which authorized the sale of property in the 10th Ward, being a 3 Story, Brick house and garage, located at 5015 Penn Avenue, designated as Block 50-K, Lot 335, to Thomas Buchser, for the sum of \$6,500.00."

Which was read.

Also,

Bill No. 153

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 164

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the AGF, Co., in the amount of Three Thousand Two Hundred Fifty (\$3,250.00) Dollars, in payment for Poly Bottles that were used during the water crisis that was caused by the oil spill in the Monongahela River."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 196

A Resolution entitled, "Resolution transferring the sum of \$40,000.00 from Code Account 57, Social Security Fund to Code Account 1001-2, Salaries, Wages and Services of Council as needed." —  
(SPONSORED BY MICHELLE MADOFF)

Which was read.

**The Chair:**

Is there a motion to approve?

**Mr. Wagner:**

Madam President, I believe it should go on the floor for discussion.



**The Chair:**

There was no motion to approve.

**Mr. Wagner:**

It's my understanding that it's not needed in this meeting. It has to be voted up or down.

**The Chair:**

Is there a motion to approve?

**Mr. Ferlo:**

Move to approve.

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

The bill is on the agenda.

**The Chair:**

Is there any discussion on the bill?

**Mr. Ferlo:**

I'll defer to Mr. Woods if he'd like to speak first.

**Mr. Woods:**

I was just going to say that even though it has a negative recommendation, that the City Clerk read the bill and then we vote it up or down just like we always do on any other piece of legislation.

**Mr. Ferlo:**

Discussion. My understanding is that this bill is on the agenda and it should be read and we should vote it up or down.

But on the subject itself, I feel

strongly in favor of a need for legal expertise and I think Michelle has offered a specific way in which we can have the money put into a code account to achieve that ends. I'm willing to vote in favor of this recommendation today.

Assuming it's going to go down to defeat, however, I think it's important that members of Council, especially since there was a majority originally who were in favor of having legal counsel, meet and discuss how best we may go about obtaining that end. In that regard, Madam President, at the end of the meeting I will speak on this to conduct a specific public meeting so we can discuss how best to get a legal advisor. But I will vote in favor of this bill before us now.

**Mr. Wagner:**

Madam President and members of Council, I'll simply restate my position. Presently we have \$10,000 in that account for this purpose. I was in support of a full-time solicitor position for Council; that was defeated by Council several weeks ago. We still have the opportunity and the dollars there to proceed for independent legal counsel through a consultant with that \$10,000. Even if this bill fails, and I intend to vote against it primarily because we haven't utilized those monies yet, but even if it fails, at some later time we can always put additional dollars into that account if needed.

**Michelle Madoff:**

Madam President, I don't give up very easily but at this point it would seem to me that I'm fighting a battle, something that I cannot win; there is not a majority of Council that wish to support professionalizing this Council. In order to professionalize Council, as I stated when I was sworn in again, we

need to have a fiscal analyst, as other cities do, we need to have our own legal counsel, we need to have some engineering expertise.

It is very obvious that no matter what I suggest, I suggest a full-time attorney, I suggest a consultant attorney, a law firm, no matter which way I go, it is not going to pass.

And it's the intention of my colleagues who expressed their opinions both last week and today that to use the \$10,000 as needed, we're back to the same old routine of, you've got 20 minutes to vote; go out and get yourself a consultant. We quickly vote and we really don't have any meaningful input. The consultants are absolutely frustrated; they've come in from other cities and have said, "We just can't give you that kind of information in 20 minutes." They don't even have a chance to rebut, even if it's a two week frame period because the Administration has worked for six months, eight months to a year on an issue that we're being presented as a fait accompli and we have no way of rebutting. You just can't get your responses in that short order.

I have been on this Council ten years and I keep hearing, "If we don't vote right now, that building is going to shut down. If we don't do this, we're going to lose the money. We'll have to give the money back on a grant. You Council will be the scapegoats."

It is apparent there is not a willingness of the majority of this Council to get full-time counsel, meaning in the area of whether it's a lawfirm or whether it is, as I said, a consulting firm or a consulting person or even request from the Administration that they assign an attorney to us.

So, the kind of propaganda that is

coming out again, and once more this Council is scapegoating, and I'm just reading in an issue, Public Affairs Capsule, Allegheny County League of Women Voters, a bunch of distortions; one, that Michelle Madoff wants to take money from the Social Security fund. It was not Michelle Madoff who said where that money should come from; it was our bookkeepers. You know, the fellows who work in our Budget Office who do the books who are not fiscal analysts. They came up with the source. I don't want to see any money "come out of the ability to pay our social security". Why was that particular account chosen?

Furthermore, the concept that we have \$10,000 and as we need that money we can always get an opinion. That doesn't give this Council the kind of day in, day out support that we need in legal matters, issues that we get into ridiculous discussions about, for example, we're going to vote for President Pro tem in violation of the Code but if we do it in public, it doesn't matter whether it's illegal. I thought that was a great rationale by Mr. Woods, that if we do it in public, even though it's illegal, it was alright.

Obviously, we need some professionalism; we need an attorney. I'm not going to win that battle. So, I've told my colleagues, if you can pull together four votes to do something that's productive and constructive so we can have a legal counsel for this body, you got my vote. But I don't think you're going to be able to pull it off because your buddies don't want to professionalize. The private club will go on and you'll just have a stronger Mayor Administration and maybe that's the way it should be because this Council is not exactly exemplary.

I'm going to abstain on the basis that we don't have the willingness to get

this bill through; it's pointless. When they come up with a mechanism, I'll vote for it.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Ferlo

AYES 2            NOES 6

VOTING NO:

Mr. DePasquale    Mr. Wagner  
Mr. Lyons           Mr. Woods  
Mr. Pollock        Mrs. Masloff  
                      (Pres't)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Mr. Woods presented**

Bill No. 263

Report of the Committee on Public Works for February 17, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 165

A Resolution entitled, "Resolution amending Title and Paragraph two (2) of Resolution No. 676, approved August 13, 1987, effective date August 25, 1987, entitled: 'Adopting Official Sewage Facilities Plan for McElhinney Plan', by including Block and Lot Numbers."

Which was read.

Also,

Bill No. 166

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing and installing and/or reinstalling steel guiderrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne           Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Ferlo           Mr. Woods  
Mr. Lyons           Mrs. Masloff  
Michelle Madoff    (Pres't)

AYES 9            NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 100

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 1215, approved November 27, 1982, entitled: 'Providing for an Agreement or Agreements with the Parking Authority, the Stadium Authority, the Urban Redevelopment Authority and other City of Pittsburgh governmental agencies for the purchase of bituminous materials; and providing for the creation of a Trust Fund for receipt and payment of such materials including expenditure of funds from said Trust Fund for expenses incurred in operation of the Asphalt Plant,' by including other municipalities and governmental agencies outside the City." —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Woods:**

Madam President, I would urge my colleagues on Bill 100 to rethink their position and to vote no. I think that we're going in that direction and we should not go if we're going to be competing with the private sector. I don't think that's what we want to do. All of us here say we want to encourage the private sector to come to this City, Allegheny County, Western Pennsylvania; well, not many of them are going to want to come when they set up shop here and invest a lot of money and find out that the City of Pittsburgh is going to be competitive with them.

And to my one colleague, Ms. Madoff, I would ask her to use the same criteria she used in 1982 to vote against this piece of legislation because it went into a trust fund. It is still going into a trust fund. In fact, I have the Minutes

here, and you made a lot of remarks, but one of them was, "It's a disgrace; and of course I'm going to vote against this bill." I would like you to do the same thing today because you didn't feel it was proper to sell this material to the local agency, to our own, to the URA, to the Stadium Authority and the Parking Authority, and have the profits from that go into a trust fund. There is nothing different today than there was six years ago. We're selling to the same authorities; in fact, we're broadening it. And that money will still go into a trust fund and I'm asking you to reconsider your vote as of last Wednesday and the Thursday before that and vote against this bill like you did six years ago.

**Mr. Ferlo:**

I would hope that everyone who voted in favor of selling asphalt would vote affirmatively.

In response to my colleague, Mr. Woods, I am also concerned about various trust funds but there's a time and place for everything. It's first things first. First we should move affirmatively on this recommendation and resolution so that we can raise additional revenues for the City while not competing with the private sector, as Mr. Woods alludes to.

Secondly, I also share Mr. Woods' concern about the issue of trust funds. I have submitted three bills today which eliminate various trust funds; there are about 40 more that I'm going to be introducing over the next few weeks. The issue of a trust fund in Public Works regarding asphalt, I would concur with Mr. Woods; we should not have the trust fund. But first we need to resolve the issue of the sale of asphalt and later on in the year I will be introducing a resolution regarding not only that trust fund but a number of other trust funds that are loose accounts throughout the

City of Pittsburgh. But I think that is fundamentally a separate issue and has nothing directly to do with the merits of the bill. I think it's unfair to indicate that that was Councilwoman Michelle Madoff's discussion because, in fact, she voted originally for this bill.

**Michelle Madoff:**

Madam President, this bill took place a number of years ago, I believe two or three years ago. We have hundreds of bills constantly and I think the bill was discussed in several different sessions, not just at one session. I think what we're doing is taking one segment of the Minutes, I'd like to see the other segments of the Minutes where the bills were close. I have to tell you that I have not read the Minutes. My understanding is that, at the time, the vote on the asphalt generally was in opposition. I was the only one that supported - that's my memory; my memory could be wrong - that I had voted to support the sale of the asphalt with Mr. Gaetano.

Now, we're looking at the Minutes of November 15, 1982; this is 1988. I must tell you, in seven years I don't remember every vote. My sentiments that I've expounded on here at numerous times - I have to look at this and I want to see the other Minutes on - You know, we vote many times on legislation, on various aspects of the legislation. I may not want it to go into a trust fund but I may have voted for the sale. I don't know; I'd have to go back and look at it. But if we have our minds locked in the closed position and we never are open to new concepts and new ideas, then we're not a very worthy Council.

In 1982, I don't think the City was in the dire straits it's in today. It's also, since 1982, and I have pointed out, that many cities are going into joint ventures with businesses where they're

building office buildings and various entities where they have lease back arrangements. For example, it would have been nice to have the Buhl in the City at a lease back arrangement so the City would get some money from it.

We're at a point where we can't haggle. We have got to find a source of dollars because if we don't find the source of dollars we're going to have to start cutting back on Police, Fire, Paramedics, and that's a fact of life. And given the immediate fact of life, I don't think we have any choice and in light of listening to what Mr. Gaetano stated, that he's not going to competition with the big guns, that he couldn't supply even a full street with asphalt if it needed it, that we're only selling small amounts to the various boroughs and municipalities, that is not going to cost significantly to produce it, that we can produce it and sell it as a profit. We have a responsibility here to protect our citizens by seeing that they have the police they need, the fire protection they need, the garbage pickup the need. And you can't pay for those things with air; you have to have some money. So by selling water to suburban communities, by selling surplus asphalt, we are not going to be taking the food out of the mouths of babes. What we're going to do is take some of these asphalt lobbyists and asphalt companies who called me and who lobbied me and when I asked them the question, "Are you not making a profit?", they said, "Oh, we're making great profits." So just take a little of their profit away or they'll work a little harder.

I think we have an obligation to vote for this bill. If we see the asphalt people going broke or going out of business, we can always reverse ourselves, and I don't see that happening.

**Mr. Woods:**

One last comment, and I don't want to keep beating this thing to death, but as far as Mr. Ferlo's comments that why Ms. Madoff voted for or against the bill, I'm just repeating and reading what I read in the Record.

If I may answer Mr. Ferlo, Madam President, her reasoning was, according to the Municipal Record of November 15, 1982, the reason is because the money would go into a trust fund, Madam President and members of Council. And I just read the reason she gave. That's all I am doing, Mr. Ferlo.

And as far as Ms. Madoff's remarks about the question of Lou Gaetano, this past Wednesday when I asked him, and it's on public record also and those members of Council who were here can remember this, would he be competitive with the private industry or private contractors. His response was yes. I asked him if he would hurt the private contractors by doing this; his response also was yes. I ended my questioning at that point. If either one of you would like to bring those records out, that's exactly what he said.

I have no further comments, Madam President.

**Mr. DePasquale:**

Madam President, the City has painters, quite qualified painters, and perhaps we should go into contracting painting homes. We have plumbers who are very capable; maybe we should do the plumbing in homes and private buildings. We also have some pretty good electricians, just to mention a few in the City of Pittsburgh, and maybe we should do electrical wiring in private buildings in the City of Pittsburgh. So why don't we go a step further and not

stop at asphalt?

**Mr. Pollock:**

With all due respect to all the previous speakers, I don't think the issue is whether one voted one way in 1982 or another voted a different way in 1988 in a preliminary vote. I think Justice White said it best, that he's not afraid to get off the trolley half way down the road if he's going in the wrong direction.

None of us have been bound by previous votes or previous comments. I think it wasn't that long ago, just a couple months, in fact, that members of this Council who vigorously opposed the smoking bill said that they would never vote for anything that was bad for business. Well, this bill before us today is certainly not good for business, but yet people are going to be voting for it because they know that there's a higher duty and that is to the taxpayers of the City of Pittsburgh and not to business.

So, I don't think anyone should be held by previous statements or previous votes.

**Michelle Madoff:**

Madam President, this is very important. This was presented out of the blue; it's the usual terror tactic. I just read what I said in 1982 and I presume the transcript is correct; it doesn't say I voted against the bill. It said that I will vote no if we don't eliminate the trust fund. So, obviously I voted yes with the exception that there be --

**Mr. Woods:**

Point of order, Madam President. This is a very good point. My colleague is lying; she is not reading the entire thing. She voted and she gave her reasons for voting. She said the reason

I'm voting against this --

**Mr. Ferio:**

That's not a point of order, Madam Chairman.

**Mr. Woods:**

Yes it is a very good point, Madam President.

**Michelle Madoff:**

I had the floor, Madam President. I don't think that's a point of order.

Madam President, I think what I did in 1982, if I said all of Council should go out and work in the asphalt plant and have a beer party at night, it would be irrelevant to what I am voting in 1988.

In 1982, the City was on much more solid financial ground; we are not today. As I just stated, I have not read that and I don't recall how I voted at that point. I would be a liar to say that I recalled. I do not know. The impression I had when I spoke to Mr. Lou Gaetano is that I was the only one that supported him at the time. And that obviously is incorrect.

This issue is, how do I vote now. And the way I'm voting now, as I just stated, the issue is that in 1988 the City is in great financial trouble. And being in great financial trouble, I think we have to vote to raise money and the best way we can. The only way I can think of at this point is to sell our water wherever we can, sell asphalt surplus, providing we don't do harm in the long run to industries.

There's an argument going on down at this table by my being held for a vote that I gave six years ago. Nobody is held to any vote they gave six years ago. Six

years ago Sophie Masloff would not be up, having a woman as President of Council. I think it's an irrelevant issue.

**Mr. DePasquale:**

On the bill, Madam President.

**Michelle Madoff:**

Yes, on the bill. I was in the middle of speaking; I haven't been ruled out of order as yet.

All I'm saying, Madam President and members of Council, is that I don't remember how I voted in 1982. I thought I had voted differently. It is irrelevant. The relevancy is, how do I vote in light of the fiscal crisis today. And that is, that in light of the fiscal crisis today, we are not, in my opinion, going to harm any of the asphalt dealers and I think we should vote for it.

I also will call to Mike Perry's attention that when I asked him how I voted he said one thing, I believe there will be some other Minutes, if we look at them, but they're really irrelevant. What if I had voted no before I voted yes? Do you want me to change my mind? If I voted yes, do you want me to vote no? It doesn't matter. I'm voting 1988 conditions, not 1982 conditions.

**The Chair:**

Mr. Wagner and then that's the end of the discussion.

**Mr. Wagner:**

Madam President and members of Council, rather than asking that my comments be brought forward for the record I'd just like to briefly state the reasons why I'm voting for the bill.

As I indicated last Wednesday,

originally I asked for a legal opinion to determine if, in fact, it was legal for the City to do this. The legal opinion that came forth indicated yes, it is permissible for us to sell this product to other municipalities. It is not permissible for us to sell this product to private concerns, whether they be commercial, industrial or residential. For that reason, I don't think that we are impairing the market to a great degree here in Allegheny County. I think in terms of the numbers of workers whether or not any will be lost, I really don't think there will be any jobs lost anywhere here. I think it's simply awash. People working for the City at the asphalt plant may work a little more, a little longer. We may need an extra worker somewhere down the road. Possibly some companies may not have the labor demand that they once had. But I think it's awash either way. The people are receiving union wages working for the City of Pittsburgh as operating engineers and not necessarily union wages working for private concerns. That's been a concern of mine all along.

In addition to that, I think that one of the most significant points of this is inter-governmental cooperation. There is a great need in this region of the state and the country for us to have greater inter-governmental cooperation. In other words, if this government can sell another government a product at a lesser cost, I believe it is helping out the taxpayers not only of this City but also the other municipality. And hopefully, if there's another municipality out there in the immediate area, or Allegheny County for that matter, or the Commonwealth, and they have a product that they can market to the City of Pittsburgh for less than what we buy it today, I think the City should entertain purchasing it because, in essence, what it does is reduce the cost of the taxpayer. We must all remember that the taxpayers

also are those businesses; those businesses are paying taxes. True, they may lose a little bit in the profit margin area, but the City taxpayer is gaining more and, basically, our responsibility is to the City of Pittsburgh.

**Mr. Woods:**

I would like to have my remarks brought forward from Wednesday's meeting, Madam President.

(REMARKS ON FOLLOWING PAGES)



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(BEGINNING - MR. WOODS' REMARKS ON BILL NO. 100 - WEDNESDAY,  
2/17/83)

Mr. Woods:

I'd like to have the Director come up.

I have no problem with the legality. What's the capacity of this plant right now?

Dir. Gaetano:

Sixty to seventy percent.

Mr. Woods:

And you propose to sell the excess? Are you proposing to enter into an agreement with Allegheny County and other municipalities to sell asphalt?

Dir. Gaetano:

Yes.

Mr. Woods:

Then if you do this, will you operate at 100 percent?

Dir. Gaetano:

Not necessarily.

Mr. Woods:

In other words, 60 to 70 percent--you're making excess asphalt.

Dir. Gaetano:

I don't make excess asphalt. You have a capacity to make so many tons of asphalt. I could never sell to a municipality or to the County or State for an extended road project; it would just destroy me. What I'm saying is I could not sell 50 trucks

or to do one-half mile of street. It would actually put a strain on the use for the City of Pittsburgh itself.

Mr. Woods:

You still didn't answer my question. If you propose to sell--right now you are operating at 70 percent. If you start selling asphalt will you then start operating at 80 percent, 90 percent, 100 percent or stay at 70 percent?

Dir. Gaetano:

I wouldn't--I'd sell more than 70 percent.

Mr. Woods:

So you would then operate at what?

Dir. Gaetano:

Ninety percent.

Mr. Woods:

So if you operate at 90 percent, will you have more manhours involved?

Dir. Gaetano:

No. I have two silos out there and while we're operating at 60 percent, I'm not totally filling the silos on a continuous basis. I would then fill the silos on a continuous basis during the regular operating hours and fill my silos up and use actually--the silo can hold the bituminous materials for seven days without going bad on you. And you'd actually use the silos--that's what they're for.

Mr. Woods:

What happens at operating at 70 percent now once the silos--what do you do with your manpower? Do they go home or do nothing for the rest of the eight-hour period?

---

Dir. Gaetano:

My manpower is there usually 6:30 AM on a paving season and actually they work until 3 P.M.

Mr. Woods:

You are only going at 70 percent.

Dir. Gaetano:

That's correct. There's many times that there's nothing in there or nothing in the silos or there's no trucks of mine coming in there to actually make one mix design to another mix design takes all of about a minute and a half to push the buttons.

Mr. Woods:

Lou, here's what I'm getting to. I want to know if we go to start selling asphalt, is it going to take more manhours to make this extra asphalt or if it's not. And if it isn't, evidently we're not utilizing the manhours we have.

Dir. Gaetano:

It's not going to take any more manhours to actually make the additional asphalt. It's not that you're not utilizing the additional manhours that you do have. When you have an individual in there, he's not doing one thing, he's doing another thing. It doesn't take any more time to make one ton as it does to make two tons in this particular plant that we have. We have a very, very modern plant out there.

Mr. Woods:

Do we have the biggest in the state of Pennsylvania?

Dir. Gaetano:

No, that's false. We have one of the most modern up-to-date plants in the state of Pennsylvania--a plant that I would never recommend we sell.

---

Mr. Woods:

Who do we propose to sell to the state small portions, is that what you're saying? And the County and other municipalities.

Dir. Gaetano:

I would propose to sell it--if I were doing this and if Council would permit--

Mr. Woods:

--Council voted for it, let's say it's going to happen.

Dir. Gaetano:

We're talking selling very, very small quantities to people who do patching. You may have one truck or two trucks from a borough or township. As I said before, I would not sell it--

Mr. Woods:

--when you say a small quantity Lou, I heard the figures thrown around at Monday's meeting and perhaps they were exaggerated somewhat, \$1 million a year.

Dir. Gaetano:

I didn't say that. I said we'd start out--we could start out--the fact is that you couldn't sell anything this year anyway. All the agreements are made with the different municipalities, so this year is out the window anyway, but it's the idea of starting.

Mr. Woods:

Get being back to where I was at. If you start selling to Mt. Lebanon, Wilkinsburg or the State of Pennsylvania, right now they are buying off of a private contractor. If there are not buying off of us and we're the only municipality that has a plant, then they're buying off of a private contractor; is that correct?

---

Dir. Gaetano:

Yes.

Mr. Woods:

So therefore, we're going to be competitive with a private contractor. You have to answer "yes" to that.

Dir. Gaetano:

Yes, it's true.

Mr. Woods:

Now one other thing. Are we going to cut our prices and get them to buy off of us versus buying off of private industry?

Dir. Gaetano:

I would not lowball a price. We're looking to make money here not to lose money.

We have a product that no one else has and we reclaim our material. I have the only reclaiming plant and that's the product. I can sell virgin, I can sell recycled, I can sell anything but I'm very, very competitive and no one else really can touch my price because they don't have the product.

Mr. Woods:

Like you said, you can sell virgin and you will if somebody wants it, therefore, we're going to be in competition with private industry.

Dir. Gaetano:

That's right.

---

Mr. Woods:

I don't think that's proper.

Secondly, if I may just get off the subject a little bit. You have carpenters that work for you, you have ironworkers, painters so forth, correct?

Dir. Gaetano:

Yes.

Mr. Woods:

Are you going to then start being competitive with contractors and start bidding out to Kaufmann's and refinish their building?

Dir. Gaetano:

No.

Mr. Woods:

Not to Kaufmann's, let's say, to Mt. Lebanon to go in and fix their police station? This is the direction that we're going.

Dir. Gaetano:

That can't happen, Ben. Then your first question that you had asked me, is it going to cost me overtime to do something like that--

Mr. Woods:

--No, no. Like you have this plant sitting idle.

Dir. Gaetano:

They're not idle, they're actually doing one thing and if they're not doing one thing they're doing another thing. You can't send them out there to do that.

---

Mr. Woods:

Why not? If Council approved it you could.

Dir. Gaetano:

No, absolutely not.

Mr. Woods:

Right now you're being competitive with asphalt makers. The next step is, are we going to be competitive with Massaro or some other contractor--are we going to do that?

Dir. Gaetano:

No.

Mr. Woods:

You say that now. This money that we derive from selling this asphalt, that is going to go into a trust fund, right?

Dir. Gaetano:

Correct.

Mr. Woods:

What do we do with that money that's in that trust fund?

Dir. Gaetano:

Right now we have money in our trust fund. We sell to the Water Authority, the Sanitary Authority--any authority within the City of Pittsburgh. If this Council has ever noticed, I have not--I don't think I have ever come up here for a piece of legislation or for something in asking for money to maintain my plant. All the maintenance of that plant has come from the dollars that I have made from the different authorities for the City of Pittsburgh, so there is no maintenance or dollar values at all in that particular plant.

---

If Council would then wish, I have an appropriation of \$2 million a year on putting asphalt down. So what Council would do and I know what our budget office would do--my appropriation next year would be less than what I had in the trust fund.

Mr. Woods:

You said that you never come to this Council for any repairs of any equipment or materials for the asphalt plant. I just deleted out of the invoices for parts that went to the asphalt plant.

Dir. Gaetano:

Yes, you deleted it but now the asphalt plant won't be able to run.

Mr. Woods:

The reason I deleted it--if you want to get into it is because you submitted two different invoices, one or this money because you went over the \$500 limit and one for next week for the same products. I was kind to send it back to you.

Dir. Gaetano:

If you would look to the code account, most of the money comes from my trust fund.

Mr. Woods:

These people buy off a private contractor therefore, by us doing it we will hurt the private contractor. You have to say yes to that.

Dir. Gaetano:

Absolutely.

Mr. Woods:

We will hurt private industry by doing that.



---

Dir. Gaetano:

Yes.

Mr. Woods:

I'm done.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |             |
|-----------------|-------------|
| Mr. Coyne       | Mr. Pollock |
| Mr. Ferlo       | Mr. Wagner  |
| Michelle Madoff |             |

AYES 5                      NOES 4

VOTING NO:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 264

Report of the Committee on Planning, Housing and Development for February 17, 1988 transmitting one resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 141

A Resolution entitled, "Resolution amending Resolution No. 1145 of 1982, entitled: 'Residential Parking Permit Program Trust Fund,' which created a

special trust fund for the deposit of fees to cover costs associated with the administration, implementation, maintenance of the Residential Parking Permit Program, to allow for payment of salaries and contract or contracts associated with the program."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 265

Report of the Committee on General Services for February 17, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 132**

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of a fogging system for the Department of Parks and Recreation, payable from Code Account Phipps Conservatory Trust Fund (PCTF), Index Code 253153, in the Department of Parks and Recreation."

Which was read.

Also,

**Bill No. 137**

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various repairs and renovations and providing for the payment of the cost thereof. Funds are available in Code Account (GS88-04) 4-30-01-0003-88, Index Code 370536, Bureau of Repairs and Operating Maintenance, Department of General Services."

Which was read.

**Mr. Ferloc**

Madam President, on Bill No. 137, I believe Councilman Jack Wagner had asked for information regarding the Squirrel Hill Police Station. I was wondering if the information has been recieved.

**Mr. Wagner:**

Yes, I received a phone call Friday afternoon with that information.

**Mr. Ferloc**

Okay.

Also,

**Bill No. 138**

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the exercise against existing Contracts, for various energy conservation projects for the Department of General Services and providing for the payment of the cost thereof. Funds are available in Code Account (GS88-02) 4-30-01-0004-88, Index Code 37085, Energy Conservation Improvements for Public Buildings."

Which was read.

**Mr. Ferloc**

On Bill 138, there was commenting concern on the issue of the workers at various facilities around the City having some input on the issue of the quality of the light, if we approved this bill. My sense from the discussion on the part of Director Botsford would be that there would be employee input into the light levels. So, in approving this bill, I hope that that will be the case.

Also,

**Bill No. 139**

A Resolution entitled, "Resolution amending Resolution No. 146, effective February 26, 1987, entitled: 'Providing for a Professional Services Agreement or Agreements for an internship for graduate student(s) to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof, not to exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars,' by extending the term of the Agreement to the present calendar year from January 1, 1988 through December 31, 1988. Funds are available in Code

Account 1134, Index Code 113407, Miscellaneous Services, Department of General Services."

Which was read.

Also,

Bill No. 158

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase equipment generators (8), quartz lights (52), deck mount/portable monitors (10), and hydrant valves (9) for the Bureau of Fire and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 266

Report of the Committee on Parks and Recreation for February 17, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 133

A Resolution entitled, "Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed Eight Thousand Four Hundred (\$8,400.00) Dollars, payable from Code Account 1801 (180109) Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 267

Report of the Committee on Engineering and Construction for February 17, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 134

A Resolution entitled, "Resolution amending Resolution No. 414, effective May 16, 1986, entitled: 'Providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood including work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$10.70 from \$50,000.00 to \$49,989.00."

Which was read.

**The Chair**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Ferlo      | Mr. Woods   |

|                 |              |
|-----------------|--------------|
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 135

A Resolution entitled, "Resolution amending Resolution No. 429, effective May 7, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering services in connection with the Rehabilitation of No. 5 Police and No. 8 Fire Station; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$48,000.00 from \$30,000.00 to \$78,000.00."

Which was read.

**Mr. Ferlo:**

Madam President and members of Council, I'd like one last shot at convincing you to vote against Bill No. 135, for \$78,000 for consultants in Engineering and Construction for the repair of No. 5 Police Station and No. 8.

As I stated earlier in the Finance Committee Meeting, I think it's a waste of money for these consultants and, in fact, it will delay the work even further than what is necessary because this work is important and should be done sooner.

In looking further into this issue, and I reviewed Engineering and Construction's budget, they have 120 total employees. They have \$3.1 million

that they spend for salaries each year. They not only have a director, they have three assistant directors. They have one manager for administration. They have six project managers. They have eight architects. They have thirty-four engineers. They have eight drafting technicians. They have thirty-one inspectors. In fact, they have an additional thirty-one in additional staff which I assume would be administrative support staff in addition to another \$34,000 that they have for student interns.

The reason why I'm concerned about this as well as other consultant contracts that come up from Engineering and Construction, a review of the public record found that in 1986 there were 31 consultant contracts. In 1987 it increased to 36 consultant contracts. In 1988, it's estimated by the Department that there will be 59 consultant contracts. Let's review this dollar figure very quickly. In '86, \$2.1 million for consultants. In '87, \$3 million. In 1988, it's projected by Engineering and Construction that they will spend \$4.3 million. That's an estimated amount of money which is more than double in the last couple years.

I think it's very critical that the Engineering and Construction consultant line item and prerogatives is out of hand. It's almost as though we need to hire a consultant to study why we have so many consultants. It sounds redundant but I think in this specific instance where we're trying to make minor repairs, the spokesperson from the Department, Mr. Reginella, talked about paving a parking lot. He talked about widening doorways. He talked about putting up plaster. And we have to spend \$78,000 to hire consultants?

Members of Council, I would hope that you reconsider your support of this

bill and vote against Bill No. 135. Thank you.

**Michelle Madoff:**

Madam President, it's a very sensitive bill simply because it's a fire station and anyone who questions it is going to be suspect of being anti-police and anti-wanting to do the right thing for police protection.

I think my colleague has a very valid point. I have, for a long time, been upset about the number of consultants in Construction and Engineering. I pointed out that I think in the last five years it's closer to \$5 million in consulting work. I must confess that I was not here at the end of the meeting the other day, the meeting went forever. I keep telling Mr. Ferlo if he wants votes he better speed it up a little bit. However, I do want to point out, for those who may have a short memory, the last fire or police station that was done, and I believe it was done with a consultant, we had no doors on the rooms that are used for privacy, we didn't have soap dishes in the showers. I've talked to some of the police officers and firemen who tell me that one of the stations that was redone, they have a locker room on one floor, in the basement, and the dressing room two floors above. There's something sadly wrong, or something's gone amiss when common sense doesn't prevail. It doesn't take a genius if you're building a house to put a door where the john is. It doesn't take a genius to put a soap dish in the shower. And it doesn't take a genius to have your dressing area next to the bathroom, not two floors away. I don't see what you need a consultant for.

I think it's time, I've been a voice in the wilderness, by myself, calling for something to be done about \$5 million in consultants, to address the issue that Mr. Reginella and Mr. McDermott sitting

here telling us that we don't go more than five percent over on jobs and in the private sector they go 15 to 20 percent over on jobs. Yet we have Phase II of Grant Street as an example. I could give you a lot of other examples where they went \$1 million over on the low bid. That's 25 percent. Then you're going to go another five.

Something has got to happen in Construction and Engineering to revamp that whole business and I think a vote against having a consultant is not a vote against expediting having the No. 5 repaired and moved on quickly.

I repeat, I was not here at the end of that meeting. I don't know what the details were. I hear Mr. Ferlo telling me now there were very simple, straight forward issues such as paving a parking lot and doing some rehab work that almost any contractor could come in. The contractors themselves could determine what has to be done and probably the police officers themselves know what needs to be done.

Mr. McDermott will come back and give you the standard party line, and that is, how can we put it out for bid if we don't know what needs to be done. So, we're hiring consultants to tell us what we need. Now, if that's the case, it would seem to me that the kind of money we're spending for consultants, that kind of work could very easily be ascertained in-house. It's not complicated, it's quite simple. I don't think there's any great difficulty or technology. Again, I repeat, if someone knows something I don't know and they care to correct me, I will stand corrected. I am quite willing to change my mind and be open to input from anyone if it is constructive and productive and you can convince me that I'm not in the right ballpark.

#### The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7

NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 182

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Carnegie Library (The Carnegie) for the Central Branch Renovations to the Main Reading Room; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 183

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Carnegie Library (The Carnegie) in connection with the Central Branch Rehabilitation; and

providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 184

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Carnegie Institute (The Carnegie) for Miscellaneous Renovations at the Carnegie Institute; and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Pollock:**

Last week, President Reagan unveiled his budget proposal to Congress and in this budget proposal he called for the elimination of the Urban Development Action Grants and a reduction in Community Development Block Grant funding from \$2.9 billion to \$2.5 billion. Needless to say, if both of these proposals are adapted by Congress, the impact on the City of Pittsburgh and other metropolitan areas would be enormous.

I would ask that a letter be drafted to go to the appropriate members of Congress and I will work with the staff to get the right names of different committee chairmen and so forth. I'd like the letter to actually be signed by all nine members of Council to have more effect rather than by the City Clerk expressing our opposition to these proposed cuts, the elimination of the UDAG grants and the elimination of CDBG funding, at least the reduction of them, so that the members of Congress do not support this very malignant change in the budget.

**The Chair:**

Very well.

**Mr. Wagner:**

Madam President and members of Council, I think all Councilmembers received a letter from the paramedics in regard to some tests that various paramedics have taken, or I should say EMTs have taken, in an attempt to qualify for EMT paramedics, a new test that has been put together by the Civil Service Commission. I have also received several calls from various people that are paramedics working for



the City. They feel that this test is not an appropriate test in that they are qualified by the Commonwealth of Pennsylvania for this position.

I would like to have some open discussion on this. I've talked to a couple of physicians that tell me that these people are very qualified for this position and this test is not really determining what their qualifications are. It's something that has been drawn up by the Civil Service Commission without proper input from the medical authorities.

Therefore, I'd like to make a motion to set up a public hearing on this issue and in the process invite Melanie Smith, Director of Personnel, John Binger, the Chairperson of the Civil Service Commission, Michelle Cumko, Secretary of the Civil Service Commission, also Director Cannon and Chief Kennedy to that public hearing.

**Mr. Woods** seconded the motion.

**The Chair:**

Would you like this as a post agenda or a public hearing?

**Mr. Wagner:**

I would prefer a public hearing so that these individuals have the opportunity to speak.

**WHICH MOTION PREVAILED.**

**Mr. Wagner:**

One other item on Public Safety. I would also like from Personnel and Civil Service Commission a reason for the upcoming firefighters examination to be given. In the past, this has traditionally been given on Saturdays when most applicants have the day off and do not have to take a day away from a job,

hopefully if they have a job. This time it's been changed to a Wednesday, March 30th. I'd like a written response to the Civil Service Commission to this Council as to why we are not having this exam on the weekend.

**The Chair:**

So be it.

**Mr. Ferlo:**

Madam President, on three unrelated matters. First of all, in advance of this meeting I submitted a formal motion which at this time I would like to read and have discussion and vote on it. It concerns the public's right to view Council's proceedings.

**Mr. Ferlo presents**

No. 271 WHEREAS, in the name of good government, both the finance and legislative sessions of City Council are cablecast; and

WHEREAS, citizens of the City of Pittsburgh have the right to be heard in front of Council in the form of a public hearing on pending legislation or any other matter; and

WHEREAS, it has been the practice of Council to cablecast a public hearing only when five or more members vote to do so; and

WHEREAS, the public should have the same right to watch the functions of City government conducted at public hearings as it does at the finance and legislative sessions of Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh will, in the name of good government, cablecast all public hearings properly held under Section 320 of the

Home Rule Charter of the City of Pittsburgh or held at the majority request of Council; and

BE IT FURTHER RESOLVED, that five or more members of Council may vote to not cablecast any such public hearing.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

What I am trying to do here is change the default mechanism. I think the onus of responsibility should be on those Councilmembers to debate why they don't want a hearing to be held instead of the members of Council who would like a public hearing to be held.

Two examples recently where there was not cablecast was on the Troy Hill Fire Station public hearing which was well attended, and the Lawrenceville public hearing regarding safety and on-street drug trafficking on the Butler Street area. There are lots of people who called my office; it's possible that other members of Council received calls asking why these public hearings were not televised.

So, it's in that spirit of good government, open government, public awareness, citizen participation in government, that I make this motion.

**Michelle Madoff:**

Madam President, I believe there was a movement by this Council originally to put everything on cable so the public could be privy to government, those who cannot come down here, they may be infirm, they may be at work, and they would like to watch it in the evening. The one obstacle that has

always been raised as an impediment was the fact that we just didn't have enough money to pay for cablecasting all of the hearings so I suggested that at least the urgent ones, the important ones where there is a majority of interest, because one community that is affected by a lack of police is no different than anybody else; it's the wheel that squeaks loudest that gets greased. What you do is take police from another area and put them in the area that is complaining. We know we have a shortage of police officers.

So, what has happened is that the argument has been well, there are some hearings that are meaningless. I think you've covered that, Mr. Ferlo, when you say that you would eliminate the cablecasting if five people objected, and I think the objection should really be, for example, I understand there is a hearing tomorrow with two people testifying; am I correct, Mr. Perry? One for and one against. I think somebody wants to show off their project, somebody else lives next to it. I don't think that really needs a public hearing in tying up my time, because I've got a lot of things to do, and I've already told Mr. Perry, as I always do, when I will not be present so that I will assure that there will be a quorum. At the end of the year I'll probably be recorded as having attended less hearings than anyone else because I will not attend hearings where there are only two people, one is for and one is against. I try to get to everything else of any magnitude or any significance.

I think your point is well taken. I just have one concern, that you've really given yourself an out, I mean, you haven't given Council an out. If the same five people who don't want to have Council open to public scrutiny will vote five against it. What you're doing is putting the onus on them but nothing is changing. It stays the same; you're just putting the onus on the other people.

I wonder if there's some way of wording this to just say, any hearing that has more than 20 participants, as opposed to something where you just have one or two people. I don't know. I'm not saying that's the answer; I'm groping. I'm asking my colleagues, who I believe are as concerned as I am about the public's right to know is protected, if they have any thoughts on how we can make this viable. But I'm afraid that the way it's worded right now, and I'll vote for it, but the way it's worded right now, all you're doing is shifting the onus to those who don't want to have the hearings to have to state that they will not have it. And hopefully the media will report that, but not likely because, not that they wouldn't but it's just that space provided doesn't allow that kind of thing on an on-going basis. Hopefully, people who watch cable will know that.

**Mr. Lyons:**

As I understand it, the trust fund for Cable doesn't have enough funds nor manpower. And I feel that the Director of Cable should be consulted to determine what he could spare, if anything, especially in manpower and in money. I know there's a fund outside of the City that runs Cable but the thing that has always come to my ears and asking is that there isn't enough manpower nor funds to air a public meeting.

**Mr. DePasquale:**

Just one statement. It's sort of an outreach on what Ms. Madoff was saying a while ago. I have no problem with televising the meetings if the money is available, what have you. But in regards to the ones that we walk in and five minutes later they're over and we walk out, I would put it in the form of a motion that Mr. Ferlo amend his resolution to not include any public

hearing that has no opposition. You can check with Mike before, or you can, Sophie, and if there's a hearing coming up where there's no opposition, it's obvious it's going to be over in a couple of minutes. There's just no sense putting all this equipment to work and all these people to work.

**Mr. Coyne:**

Madam President, I would have to agree with Councilman Ferlo on this issue. I think Councilman DePasquale has a point there but I think that's something we can deal with on an individual basis, that if we all know that a certain group is coming up or a certain issue is coming up where it's really not that important or there's one or two speakers, that it's something that we can vote not to have on television and it's something we can all probably take an adequate stance for.

I think that Councilman Ferlo is correct in his assertion that the people who would not want a hearing on cable, they would have to be the ones to defend their position. And even if the press didn't cover it, as Councilman Madoff suggests they wouldn't do, I feel that just by someone having to defend themselves on cable television to the public would be reason enough to bring enough pressure onto that person. So, I would have to speak in favor of this resolution.

**Mr. Woods:**

To my knowledge, since we've been on television, five and a half or six years, there's never been a public hearing turned down when someone requests it, to my knowledge. And who are we to say now what hearing is important and what hearing is not important. What may be important to you, Mr. Coyne, or you, Mr. Ferlo, may not be important to me, but I would not offend you by saying that it's

not important. I think it's a wrong assumption of this Council to come before any neighborhood group or anybody coming for a zoning change or whatever matter might be coming to this Council, to say I want to vote against it because we don't feel that's important enough to be aired. I don't see any problem with the way we've been conducting it. Any member of Council that wants a public hearing aired, it has been aired since I've been here.

And, in fact, Mr. Coyne, I'm surprised that you would fall for this today when the other day you said you were tired of people saying when you're against something or somebody is against something, that they don't want the public to know or they're afraid for the public to know. That's been said twice today. But because I don't want to see every hearing on television, it doesn't mean that I don't want the public to know or I'm afraid of the public. And every time one of us doesn't agree with one another, that's the excuse we give. That's how we try to browbeat people into voting our way. That's not proper and I'm tired of hearing it, and I'm shocked that you even repeated that today because you defended that just last week saying that you didn't like to hear that anymore.

So, I think that there's nothing wrong with system we presently have. Anybody here that wants a public hearing televised, it has never, and Mike, you can check the record for me and any of my colleagues here can correct me if I'm wrong, but I don't remember any time that it's ever been turned down by a Councilmember.

**Mr. Wagner:**

Madam President and members of Council, I'm going to vote against it and for that reason I have to state my

reasons for it. In my time on Council, I don't recall anyone making a motion that did not pass to televise a public hearing. It may have occurred once in four years, but I even have difficulty remembering if it did occur once in four years. During that same time frame we had to televise at least 100 public hearings.

The two most recent, Troy Hill Fire House and Lawrenceville and the police protection, if any one person would have requested to me as Chairman of Public Safety, to televise those hearings, I would have put a motion on the floor to do that. And I'm sure the majority of you would have supported it. I think that has pretty much been the standard in the past. If there is an interest to televise a public hearing, for people who can't make the hearing, a motion goes on the floor to do that and it passes.

I don't want to see the Bureau of Cable Communication become over-obligated when they can be spending time towards doing some other things that a lot of people would like to see them do. I'd like to see them have more Public Safety programs on there. Our new 911 system opened up today, I'd like to see them have an explanation of what that's all about. I've requested from Brother Richard an explanation of the Charter and description of the Charter over the Bureau of Cable Communication. In this past week I've had two requests into my office to televise School Board hearings and School Board meetings; I think that's a great idea. Obviously that's not under our jurisdiction but these are all potential uses of the Bureau of Cable Communications and the government channel. If we over-obligate that channel for zoning hearings, which are generally very localized, and sometimes there isn't one that's localized,

sometimes it pertains to the whole City, that can be televised. But, to my knowledge, we have not turned down any one time to televise a hearing and I believe that this Council will continue to do that in the future.

**Mr. Pollock:**

What troubles me about shifting the fail-safe mechanism from a burden on Council to affirmatively deny something being accessed on television versus the way it is now is, as Mr. Woods stated very accurately, it's very difficult for someone to vote and say, "You're not important enough to be on television." So, it's a practical matter. What will happen is everything will be on cable television which, as we all know, with the way the Charter is drafted, anyone can go out and get 25 signatures and have a public hearing which would then mean it would be on television. I have to look at the cost to the City and is that how we want government to function. I believe in open government and good government, but we have to consider the resources of the City being limited as they are. And as Mr. Woods very, very accurately stated, I don't recall anyone requesting a hearing to be televised having it denied. In fact, most of the time it's almost unanimous that they be televised. Mrs. Masloff, you certainly have more expertise in Cable than anyone here; you can remember is anyone was ever denied that request.

But, inadvertently, we could forget to make a motion to not have something televised or, as Mr. Woods stated, we wouldn't turn somebody down. So, everything would be televised. And again, the Cable Bureau would be bounced around like a yo-yo. I mean, they're going to have to schedule things in advance and if they know there's a public hearing they have to tell everybody else, "No, we can't televise

what you want because we're reserved for Council that day." And then if there's a motion to not televise it, then they have to change everything else.

So, I think the way it's going right now is the healthiest way, the most economical way, and clearly the most good government way by having a motion that anyone can make at anytime to have something televised, and if it's significant enough that the majority of Council feels that it should go out over the cable network, then that's the way it would most likely be passed.

**The Chair:**

I want to point out that the Cable Bureau resources try to cover Council and other City activities. They try to maintain a balance with the resources they have available with which to work. They have a lot to cover. Some issues, as has been pointed out, are purely local issues.

The current policy is for five or more votes in order to grant a request for coverage. I think that's broad enough.

**Mr. Ferlo:**

Madam President, I think this has to be one of the more ridiculous debates I've ever participated in on City Council. And there's a complete lack of logic to the argument made by Mr. Woods and Mr. Pollock. On one hand, we are saying that any public hearing we vote for will be televised by an affirmative vote of five members. Presumably, then, as both of them said, every public hearing can be televised and there's not going to be any debate. So, it's in direct contradiction to what you're saying in terms of why these public hearing should be televised. There's no logic whatsoever.

**The Chair:**

That's not what they said.

**Mr. Ferlo:**

Secondly, the Director, on many occasions Director Emenecker has said to this body, and I've heard him in the past, saying that the Cable Bureau staff is at the beck and call of this Council as it relates to public hearings, and any time Council wants a public hearing cablecast, they will be here and there's no problem. It's a ludicrous argument to raise the issue of money and lack of resources because there's not any additional money or revenues needed in order to do this. These are people already on the payroll; it's not an additional burden. But if the logic says that five of us can have a public hearing, and no one is going to object, which is what at least two members on this Council said, then I don't understand what the logic is to be in disagreement with this resolution except for those who would like to be disagreeable.

**Mr. Lyons:**

Madam President and Council, I think in the resolution it's saying that the five people who would oppose it would mean that the people that have asked and sought for a public hearing are saying that these five members, and point them out, said that you weren't important enough to have it. I think that he's turning it around and I don't think it's fair to Council.

**Mr. Woods:**

Just one last remark and then I'll call for the question. I think that the reason every meeting isn't televised, we've always used common sense and we just didn't put a blanket, that this needs televised and that needs televised. That

is my argument, Mr. Ferlo, and I believe that's Mr. Pollock's argument and I believe that's Mr. Wagner's argument, that all nine members, no matter if we agree or disagree on a lot of issues, we all use common sense on this one issue.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|           |                 |
|-----------|-----------------|
| Mr. Coyne | Michelle Madoff |
| Mr. Ferlo |                 |

|        |        |
|--------|--------|
| AYES 3 | NOES 5 |
|--------|--------|

**VOTING NO:**

|             |              |
|-------------|--------------|
| Mr. Lyons   | Mr. Woods    |
| Mr. Pollock | Mrs. Masloff |
| Mr. Wagner  | (Pres't)     |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Ferlo:**

On two other points. I'd like to make a motion to televise the public hearing on property tax assessment.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

Madam President, point of order. We don't know if we're going to have a hearing. Why don't we find out, first of all. They've already said they're not coming.

**Mr. Ferlo:**

There's a public hearing called for. A hundred people signed signatures on a petition requesting the public hearing.

**Michelle Madoff:**

But what are they going to do? Just ventilate and voice their opinion? We have nobody here that they can address. We've been told by a letter that they're not going to come, the County is not going to be here.

**Mr. Ferlo:**

I have a motion on the floor to televise a public hearing that several hundred citizens have requested on property tax assessment.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. Ferlo       | Mr. Wagner   |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

**AYES 6 NOES 1**

(MR. LYONS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Ferlo:**

In closing, my last unrelated point, Madam President. I won't deal at length by comments made this morning by the City Controller in relation to the issue of the City residency requirement. I would hope that other members of Council would join with the Controller in expressing their concern over the issue that so many people on the payroll out at the School Board do not live in the City of Pittsburgh. I have supplied a chart here today which talks about the loss of City revenues.

But at this time, Madam President, before Mr. Pollock walks out of the room — Mr. Pollock, this has to do with you.

**Mr. Pollock:**

I have a meeting to attend.

**Mr. Ferlo:**

Mr. Pollock has a meeting.

In relation to the issue of the pending school pact, we are talking about a situation where the School Board will be faced with at least a \$20 million shortfall. The reason I'm disappointed Mr. Pollock has walked out of the room is, on one hand at the end of the year he makes grandiose comments about the need for tax reform and now we have a very important matter before us and that is the fact that our School Board is going broke. They will be facing a situation where they will be without some \$20 million in funds and they will have to institute a sizeable property tax on the citizens of the City of Pittsburgh. On one hand this Council and the Administration have been working overboard for tax reform and, on the other hand, the School Board has wiped that reform out with one stroke of the pen.

Madam President, I am asking you today, and I am calling on Councilmembers here, to please ask for a joint planning meeting between this legislative body, the School Board, our Mayor and the City Controller so we can discuss the financial calamity not only of the pay raise that's been pending, but we need to talk about joint tax reform. Not us by ourselves; not the School Board by themselves. This is a planning process that we need to jointly enter into with the School Board. Not at the end of the year, at the 11th hour on Christmas Eve when we're both hard pressed to pass budgets. We should begin this process now and it's my hope that members of Council and Madam President will join in please establishing this dialogue and establishing this meeting. I'm not the first one to call for this; Councilman Wagner and others have called for it in the past. But given the impact of the wage pact that will be approved, it's all the more necessary.

Thank you, Madam President.

**The Chair:**

Mr. Wagner has called for precisely that and we have been turned down soundly.

**Mr. Ferloc:**

Here's what I propose, Madam President. If they refuse to meet, I would hope, as I will be doing I believe it's March 14th at the next public input session of the School Board, I would ask that all of us together, hand in hand, go to the School Board and talk to them. We should go and appear at the next public input session at the School Board and I believe it's the first or second week in March. I would hope that we would go out there and begin to make that dialogue. This is absurd; I can't even believe that both taxing bodies are not

talking to each other. I can't believe that the Administration has not even uttered a peep in relation to the school pact that is about to be approved.

**Mr. Lyons:**

Madam President and Council, what powers does the Council have to summon the School Board? I believe that there isn't any.

**The Chair:**

They have refused; they've turned us down at least ten times. Under all conditions and all circumstances, they have turned us down. Each individual member of Council is free to go before the Board but they refuse to come. And we have no powers to force them.

**Mr. Lyons:**

I'd like to raise another question. I think here it's a very delicate thing where money is concerned. I would like to see a meeting not only between Council and the School Board but I'd like to see a meeting among the legislature council in the School Board because there are many conditions that exist there that maybe if we could get the legislature to pass a bill, one of the things that bothers me is the six percent in their retirement that the City matches with them and so does the State, the Commonwealth. I'm not taking anything away from the School Board but since it's coming through grants, I would like to see the City relieved of that six percent and let the Commonwealth of Pennsylvania pick up that six percent, pick up the whole twelve percent. I think that would be a meaningful and a great lightening of the burden of taxes on the residents of the City of Pittsburgh if we could resolve this.



#### **The Chair:**

It's a wonderful idea but we can't get them here. If you have any way of getting them here, I'd appreciate it.

#### **Mr. Wagner:**

On the same issue. Madam President and members of Council, I appreciate the comments of my two colleagues in regard to this issue because, obviously the four percent wage tax cannot be addressed and reduced only by one governmental entity. The City of Pittsburgh has 2.1 percent, to be precise, 2.125 percent of that tax, and the School Board has approximately 1.9 percent of that tax.

If you were to go out on the street and survey the average citizen, probably four out of five think that the four percent wage tax is totally related to City government. That is not the case. That has to continually be said because we are responsible, that is true, for 2.1 percent of that, and we should be responsible for it. But the School Board is responsible for 1.9 percent, approximately, of that tax. I'm not aware if the new members of Council are aware of this but I requested through the President and members of the School Board that a public meeting be held last November and I should get copies of everyone of that letter. A response came back from the President of the School Board indicating that they would like to meet but they would like to meet privately. I asked our Solicitor and our Solicitor said no, you cannot meet privately. This would be a violation of the Sunshine Laws; therefore, it must be a public meeting. I then sent a letter back to the President and members of the School Board again indicating the opinion of our Solicitor. As of this date, three months later, I have had no response.

I think it's a very urgent issue because the wage tax issue in the City of Pittsburgh is shared jointly between two independent governmental entities and it is almost mandatory that these two governmental entities sit down and address that problem jointly and do it in a public forum.

So, maybe what we should do is put a formal motion here on the floor rather than simply me sending two letters to the School Board that we want to do that. I will do that at this point. I'd like to put a motion on the floor that the City of Pittsburgh legislative body, City Council, the executive branch of government, the Mayor and the Controller, sit down with the Pittsburgh School Board and the Superintendent of the School Board to discuss the overall fiscal condition of the City of Pittsburgh and primarily the four percent wage tax and how both independent governmental entities can address that issue jointly but independently in our own separate ways. Without that commitment from both the School Board and the City, the residents of this City will be cheated because one alone cannot reduce their portion and the other increase their portion of the wage tax. All the residents of this City are paying to both governmental entities; therefore, the only logical way to come up with a solution is to do it together.

#### **The Chair:**

Jack, I agree with you; you're absolutely right. However, they are an independent body, they value their independence, they say they're elected. We've asked them numerous times. I will ask them again and hope that we have better luck this time. I will be glad to follow through on your resolution.

**Mr. Lyons:**

Madam President and Council, I embrace what Councilman Wagner has said, but I think we would still be without a voice because, if I'm wrong, correct me, both bodies are taxed in the City of Pittsburgh through the legislation of Harrisburg. And I think it would be good to bring in whatever we could get from the legislature to sit in on this meeting.

**Mr. Wagner:**

If I may respond, the School Board has a limit of two percent in their taxing power in the wage tax; the City does not have a limit. Now, I don't think any changes are going to occur there in tax reform, but we are both operating under the limitation set by state government at the present time. I think it would first be appropriate for the two groups to meet and then, if the need exists, to sit down with the appropriate state people.

**Mr. Ferlo:**

Let's be clear. We're not only talking about a \$20 million shortfall. One-third of the amount of money that we bring in on our side of the wage tax for the fall, the tax reform bill in Harrisburg does change it, limits, I believe, the 1.5 percent on income the amount of money that the School Board can institute. So, they're already talking about a significant millage increase on property taxes because of the \$20 million shortfall on top of another sum of money that they have to raise because they're now going to be limited. So this exacerbates the situation even further.

But I would hope in passing this resolution that we will physically send a delegation to the next School Board meeting to deliver this resolution.

**Mr. Coyne:**

I would just like to quote from Mr. Flaherty's letter which I'm sure members of Council have received. You know, we're saying our hands are tied and that the School Board doesn't have to respond to us because they're a separate entity and they're elected by the public; well, I think we need the public's input in this issue also.

To read from a paragraph near the end of the letter, it says, "The issue of residency reform must start with the School Administration's top brass." And for the interest of the people that are watching right now, most of the district's top salary and administrators live outside of the City, i.e., the Director of Personnel, the Director of Finance, the Deputy Superintendent of School Management, the Associate Superintendent of School Management, the Associate Superintendent of Community Relations, the Director of Curriculum Development, the Associate Superintendent of Curriculum and Program Development, the Chief of Security, the Director of Purchasing, the Director of Computer Services.

Now, I think it's very, very outlandish that these folks are profiting — I mean, they do a job and they perform a service for the citizen of Pittsburgh but their taxes aren't coming back into the City and I think that if we are finding a problem with dealing with this on our own, that the citizens of the City of Pittsburgh need to start writing letters, need to start making phone calls, and let's bring the School Board to the table any way we can.

**Michelle Madoff:**

On the same issue. I just looked at the chart. I found it fascinating that we're seeing a shortfall, as I understand

from Mr. Ferlo's presentation, of \$3 million. The \$6 million that we lose on the four percent outside the City and \$3 million that we would lose in total; three would be from inside the City, three from out. Is that correct?

**Mr. Ferlo:**

We're losing 3.1, as the chart indicates.

**Michelle Madoff:**

We're losing 3.1. While I think it's commendable that we find out why the suburban employees of the City School Board, how it came about that they were allowed, maybe somebody knows. You know what I'm looking for, Madam President; at some point they may have changed the rule but maybe people who lived outside before were not fired or they allowed them to live outside or there was a shortage. I don't know what the reason was. But whatever the reason was, we need to find out.

What we're talking about is \$3.1 million and that's a lot of money. We've got a Construction and Engineering Department that has spent \$5 million in only the last five years and if we had the \$5 million we could clean our own house, first of all, before we start cleaning the house of the School Board. I could go through a number of entities that we need to clean our own house and start bringing in revenue to cut our four percent wage tax. That is not to say that we don't need to look with what can be done with the School Board.

From what I understand in the dialogue that took place today, and I think the reason Mr. Wagner is on the right track, before you start making plans or changes or making decisions, you need the facts, and frankly, I don't have all the facts. I don't know how it came

about that people who worked for the School Board do live outside the City of Pittsburgh. I'd like to know that. I'd like to know whether the item that Mr. Wagner touched on which was that they cannot exceed two percent in their taxing, will the shortfall be made up by changing the millage. Who is giving permission to the County to change the millage? I don't know. Maybe the people we need to zero in on is not the School Board but maybe the County Commissioners to say no, we can't change the millage to amend it.

We are coming to conclusions and making statements in a vacuum, not based on a lot of interesting or important facts. And I think a fact-finding meeting is not in violation of the Sunshine Act. We have the right to meet and get our questions answered. That's not a secret meeting. It's probably general information anybody can research and have available to us. Perhaps a letter going out and asking these questions. Then we should sit down and start saying what should be done. It seem to me just from what I've heard, maybe the villain in the plot is not the City, not the School Board, but the Commissioners who are giving them permission to amend the School Board. I don't know. I'm not saying that I do know. Do you understand, Mr. Coyne? I'm just saying that I don't know the facts.

But I do know, the fact is that we must lower the four percent wage tax or this City is in very, very, very dire straights. We've got to do something about the terrible taxes that we have on mercantile, business privilege, amusement tax, that keeps people from coming into the City. We need to do things like starting to give ten year tax abatements to attract industries to our area. We have that capability under state law; we don't utilize it. And these regressive taxes do impact on us.

Right now Harrisburg is looking at the revamping of the tax structure of this City and would like to do nothing to impede that. But I think that we ought to start looking within our own structure to see what we can do to bring down our wage tax. On Grant Street alone you have \$1 million. If you look at every contract that's \$200,000, \$500,000 over, pretty soon you're going to have the \$5 million in consulting. There's probably \$10 million that has gone down the tube for no reason. And so when we start picking on the schools, I think we should know the facts. I'm not saying it's wrong; I'm saying I don't know.

**Mr. Wagner:**

There is a motion on the floor to have a formal vote to request a meeting.

**Mr. Lyons:**

I second that motion.

WHICH MOTION PREVAILED.

**The Chair presents**

No. 272 Resolution appointing Council President Sophie Masloff as President of the Board of Trustees of the Comprehensive Municipal Pension Trust Fund, to serve a four year term to expire February, 1992.

Which was read.

**Mr. Wagner** moved to approve the appointment.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

On another item, Madam President. This is a very quick item; it

will not take a lot of your time.

Madam President, I think that we had a terrible showing and a showing of true character of people here today where Mr. Woods screamed that I was a liar. I'm going to read from the transcript. He quoted from November 15, 1982 and I have the transcript of the meeting here of November 8, the meeting prior. I thought there was more to it that what met the eye.

On November 8, 1982, quoting from Michelle Madoff. "Mr. President, I called a Mr. E.J. Sadowski who represents the Pennsylvania Asphalt Pavement Associates, and said, 'Sir, I've heard that I could not get a copy of the article.' I've since received a copy of the article. You industry is being investigated for price fixing in the asphalt business. Is that true? Mr. Sadowski said, 'Yes, it is.' I understand from speaking to our Director that the reason we went into the asphalt business in the first place is because we could not get asphalt in time for the projects and delays, as Mr. Stone has said over the years, are very costly. It is also true that if indeed they prove that the asphalt industry is indeed guilty of anti-price fixing, the City will get reimbursed fifty cents per ton of the asphalt we purchased previously."

Basically, I voted to support selling asphalt. What I didn't vote to support was the creation of a trust fund. So, I think anyone who may be listening who thinks that in '82 I changed my mind, and there's nothing wrong with changing your mind, but to be called a liar on camera, in front of this body, and many of you were not here in '82, I think is the bullying type of tactics that one can only expect from certain members of this Council and the Record corrects that impression.

**Mr. Coyne:**

On another matter. Madam President, I'd like to bring up and publicly express my dismay in what I see as the Administration's conduct towards labor unions during the past few weeks.

First of all, with the foremen's contract, I believe, Mr. Perry, you could clarify this for me, that we did send a letter asking for the Administration's position of why the foremen have been treated differently regarding their health benefits. We haven't received a reply to that as far as I'm aware.

The Administration went to court, went to binding arbitration with the Firemen's union and if the Administration would have won, I'm sure they would have been very happy with that decision but since they didn't win that decision, they're going to take that to court. Also with the issue that Mr. Wagner brought up concerning the paramedics.

I think what we're seeing is the Administration acting rather callously to the people who are providing services to this City and I think that we need to start working closer with the Administration and the labor unions so that both sides are adequately represented and that the unions aren't being short-changed.

Once again, I'd like to have a response letter from the Administration stating why the foremen are expected to do something that no one else in the City workforce does now.

**The Chair:**

Did you write a letter and ask for it?

**Mr. Ferloc:**

I raised this issue over a month ago and I concur with Councilman Coyne not only on the issue with the foremen but the firefighters and some of the other points he expressed. We did, at least three weeks ago, request this information from Bernie Schneider who is the negotiator in relation to the foremen's contract and to date we have not yet received any response.

I think it's time that this City Council starts getting some backbone with the Administration on these issues and if we're not going to start getting some communication, then I think we should start holding up some bills.

**The Chair:**

Mr. Perry, will you see that that letter goes out?

**Mr. Perry:**

Yes, Ma'am.

And on the motion of **Mr. Wagner**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, February 29, 1988

No. 9

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, February 29, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

#### Mr. Lyons presents

No. 299 WHEREAS, the City of Pittsburgh is one of nine (9) members of the Steel Valley Authority, whose purpose is to retain and develop existing

industries in the Monongahela and Turtle Creek Valleys; and

WHEREAS, the City of Clairton has signified its desire by resolution to join the Steel Valley Authority, and the Steel Valley Authority has by resolution, expressed its consent to such joining; and

WHEREAS, the City of Pittsburgh believes that the addition of the City of Clairton to the Steel Valley Authority will greatly strengthen its local community base of support.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, pursuant to Section 3.1 of the Municipal Authorities Act of 1945 as amended, authorizes the proper officers of the City of Pittsburgh to join in the application of the City of Clairton to the Secretary of the Commonwealth to become the tenth member of the Steel Valley Authority.

Mr. Lyons moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

#### Mr. Lyons:

Mr. Salaj who is one of the officers of the Steel Valley Association is here to express his thanks and the importance to economic development.

#### Mr. Salaj:

Thank you, Councilman Lyons. I

am not an officer, I forgot to mention that to Councilman Lyons; I'm the Outreach Coordinator for the Steel Valley Authority. The reason we wanted this resolution, of course, is to have Clairton enter our membership in the Steel Valley Authority. Part of my job will be, in the future, to come back to Council to try to provide information relative to community development that City Council is interested in. We'll have to make some arrangements in the future because I understand this is a legislative meeting and I don't generally speak here.

What you'll all be interested in, of course, is our efforts at the LTV electric furnaces, South Side of Pittsburgh. There has been movement in that area; we expect those furnaces to be activated sometime in the very near future.

The Steel Valley Authority has taken a large part in the results of the Metals Retention Study conducted by Allegheny County and State of Pennsylvania. We expect a sizeable number of jobs to be produced as a result of our efforts on the South Side of Pittsburgh and we hope this is only the beginning of what the Steel Valley Authority may do in Allegheny County itself.

I thank you very much.

**Mr. Ferlo:**

I'd like to ask the representative from the Steel Valley Authority if there's any indication yet from either Governor Casey or our honor, the Mayor, in relation to the Steel Valley Authority's Metals Retention Study and the electric furnace in the South Side where it has been made clear that there is productive use there and a potential for jobs. Has it been clear yet as to what the Mayor's position is on this as well as Governor Casey?

**Mr. Salaj:**

We've not approached either of those parties relative to this Metals Retention Study. Allegheny County has been working together with the Steel Valley Authority. There has been positive results as a result of the study; it's a comprehensive study that goes into a great deal of detail and they do specify an expected number of jobs that may result from these electric furnaces in terms of approximately 430 basic steel jobs and for each basic steel job, they estimate 2.7 spin-off jobs that will result when these furnaces are activated.

To my knowledge, the Governor has not been contacted, personally, nor Mayor Caliguiri. But we do know that the Mayor has been very favorable to the Steel Valley Authority and I'm sure when the time comes for a ribbon cutting or whatever, we'll invite everyone to such an event.

**Mr. Pollock presents**

No. 300 WHEREAS, House Bill 1103, introduced by Legislator Frank Pistella, would prohibit the imposing of the death penalty to persons who were young at the time of the offense; and

WHEREAS, while crimes committed by youths are just as harmful to victims as those committed by adults, they deserve less punishment because young people have less capacity to control their conduct and to think in long-range terms; and

WHEREAS, the argument that the death penalty is the ultimate means of preventing young offenders from committing more offenses rejects the alternative of rehabilitation and the nature of young people is that they will mature, almost always in directions more acceptable to society; and



WHEREAS, as Bishop Anthony Bevilacqua said, "the death penalty advances a destructive, anti-life attitude and is inappropriate in our age and in our society and other means must be used to prevent criminals from committing serious crimes and to redress the injustices suffered by victims of crime and their loved ones"; and

WHEREAS, the death penalty is applied in a discriminatory manner with blacks and the poor being executed while, as Justice William Douglas said, "one searches in vain for the execution of any member of the affluent strata of society"; and

WHEREAS, the death penalty is irreversible and the English government's execution of an innocent man led to the abolition of capital punishment in Great Britain.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports House Bill 1103 and urges all Pennsylvania Representatives, Senators and Governor Robert P. Casey to support this pro-life legislation, without amendment; and

BE IT FURTHER RESOLVED, that the Council declares March 1, 1988 as Abolition Day in the City of Pittsburgh in hopes that the day will not be far when our society ends this discriminatory, inhuman punishment.

**Mr. Pollock** moved to adopt the resolution.

**Mr. Ferlo** seconded the motion.

**Mr. Pollock:**

With me today are Bruce Ledewitz from the Western Pennsylvania Coalition Against the Death Penalty and Father Greg Swiderski who has been on a hunger

strike for seven days in support of Abolition Day and for the elimination of the death penalty. I would like them to speak but before they speak I'd like to just say a couple things.

You know, just by coincidence, and I'm not being the least bit disingenuous about this because it truly was a coincidence, I was reading last night the story of Hurricane Carter. Some of you may know this story; he was a boxer in New Jersey who was accused of killing three individuals in a bar. The conviction was based upon the eyewitness identification of two gentlemen. Seven and a half years after he was convicted, after the trial - not even seven and a half years, seven years and several months - these two individuals came forward and said that they had lied as to the eyewitness identification because they were given courtesy by the local police force and some of their own crimes were ignored and they weren't given any sentences and so on and so forth. Now, I say seven years and several months because the Statute of Limitations for perjury in New Jersey is seven years. Fortunately, Hurricane Carter had been given an appeal and so his life was saved; but if he had not been given an appeal, then he might have been put to death during that seven year period without these gentlemen coming forward to recant their testimony.

There are numerous, numerous examples of this. 60 Minutes had an incident involving a Pennsylvania conviction of Neil Ferber who was convicted in Philadelphia of murder and was on death row in the State of Pennsylvania when the eyewitness again changed his testimony and he was saved.

One of the most famous ones comes out of Florida, and this was on 20/20 recently. It was called "Hours

From Execution". I'd just like to read a couple seconds from the transcript from the 20/20 episode.

"Joseph Green Brown had reached the end of the road, the death house here at the Florida State Prison. He was in the final phase of death watch, meaning he was tightly restricted, closely observed. He was measured for a burial suit and offered a final meal. He was approximately 30 steps and 15 hours away from being strapped in the electric chair and executed.

Attorney Richard Blumenthal won a last-minute reprieve persuading the federal judge to issue a stay of execution.

A new part of the record came out. Ronald Floyd, who had convicted him by his testimony, changed his story. He now said that he had lied at Brown's trial."

This man was just a few hours away from being killed by the State. And again, these stories are not uncommon; they happen all the time. That's one reason why I'm opposed to the death penalty so very, very strongly. I don't want the Commonwealth of Pennsylvania, in my name, killing any person, especially an innocent person.

The second reason why anyone with any kind of conscience should oppose the death penalty is because it's only blacks that are getting killed in the electric chair. And any person that has any money, any person that has access to a lawyer and can delay it, is not getting killed. And if you look at the statistics across the country and Pennsylvania, you can see this.

If Council would permit, I'd like Father Swiderski to just say a few words and also Bruce Ledewitz.

#### **Father Swiderski:**

First of all, if I can correct the Councilman, I have not been on a hunger strike so much as a fast for seven days, taking only liquids in during that time. I'm not the only one; there are a few other folks who are joining in the fast. The purpose of a fast, there's a variety of reasons for that but I'm not here to talk about that.

The concern about young people who might face the death penalty is that someone who is adolescent, someone who has not reached an age mature enough, I don't think should face the ultimate losing of their life, which is the ultimate penalty that they face. Certainly, Pennsylvania law requires that if they are found guilty of first degree murder, they will be held in prison without parole and, therefore, they are removed as a threat to society. I do not think, especially having worked with young people for 16 years as a parish priest in the suburbs as well as in Lawrenceville, the Hill District and now in Morningside, and observing the behavior of youngsters during that time, I don't think that they should be held liable to the point of taking their life away for something which they do while they're at such an impressionable and difficult trying age.

#### **Mr. Ledewitz:**

I would just like to thank Council and Councilman Pollock for bringing the resolution before you. I know I speak for Representative Pistella as well, whom I spoke to last week about the upcoming vote.

I can't add anything to what Father Greg would say about the death penalty; his opposition comes from a profound moral sensibility. But I would like to simply reiterate about life imprisonment without parole. It is little known, in

Pennsylvania, there are even some judges who are not aware, that the State has had life imprisonment without parole since the mid-nineteenth century. So, whatever you want to say about young people, it is possible for us to protect society without having to execute them.

Again, thank you very much.

**Michelle Madoff:**

Madam President, with all due respect, I have a tremendous respect for everybody that has spoken, particularly my colleague, Mr. Pollock who is a dear, old friend. But I think we all come from our own personal bias.

When you say young, what do you mean by young? Do you mean ten? Do you mean eight? Do you mean six? Or do you mean somebody who is fourteen who has been out, street smart, never had a childhood, and is not really going to change very much at that point?

I have been on Council ten years. In the ten years that I have served, I know of three incidents. One is the Rosen child that was just murdered by someone calling attention to a psychiatric problem, and I hope the young woman does get some help. I know in my own office my aide's daughter was murdered six months before she came to work here; they never caught the person. And the Goldberg child that was murdered by a young white man, who everybody thought was a charming young man, but a young person.

When do we say enough? We just cannot have — We just don't have enough budget money to have the number of police that we need.

The one thing to be said for somebody who is executed is they're not there to kill again. A very good example

of that is the man that was apprehended, I believe, yesterday, over the weekend, who killed his first wife. He somehow found his way into somebody's heart, got remarried, and sexually abused her daughter since the age of fourteen and ends up murdering her. If you had a wild animal attacking you, you would protect yourself from that wild animal and kill it.

I think there are extenuating circumstances. If a person does not confess and it is just circumstantial evidence, I think we should not execute. But when they're caught and they admit it and the evidence is there, what are we accomplishing by putting the burden on society and also on the guards who have to protect these people who also get murdered and are taken hostage?

I am afraid I can't vote for the bill unless it's clarified to the point where you tell me what you mean by young and what you mean by the kind of person that is going to be not executed. Is it someone where there's circumstantial evidence? If they confess and they are found on the scene with a knife and a gun in somebody's back, I will not support this.

**Mr. Pollock:**

To answer the question about young, I think a fair barometer of youth is what the state considers old enough to drink or old enough to enter a pool hall which is the age of 21. In other words, in Pennsylvania, under the age of 21 you can't go into a pool hall and you can't buy drinks. So, if the state doesn't feel you're old enough to do those things, it shouldn't kill you either.

**Michelle Madoff:**

Do they go to military service before that?

**Mr. Pollock:**

Eighteen.

**Michelle Madoff:**

Yes, and they go in and they learn how to kill.

**Mr. Woods:**

Mark, you mentioned Frank Pistella's legislation. What age limit is that?

**Mr. Pollock:**

Twenty-one.

**Mr. Lyons:**

In the first place, I don't believe a person, if he has done a heinous crime, I still don't believe that we have been vested with any powers to take his life. Certainly I support the bill. Execution is a very bad thing. I don't care what a person has done, I don't think I have the right to take his life. And certainly I feel that as Councilman Pollock has said, with execution, too many blacks have died because they didn't have the resources to fight in court or make the appeals. Sure, if they have done something wrong, take them out of society, but don't take anyone's life.

**Mr. Ferlo:**

I concur with my colleague, Mr. Lyons. I think, unfortunately, this is one of those emotionally charged debates and I don't think any time that we spend today will convince Councilmembers either one way or the other, depending what is in their mind and what is in their heart. Personally, I feel life without parole is a practical alternative in relation to those people who are dangerous to society and for the reasons

outlined by Councilman Pollock as well as Mr. Lyons, I would vote in favor of the resolution.

**Mr. DePasquale:**

Mark, I'm not a proponent of the death penalty, but I think an amendment is required here. We're talking about adults. You say anybody under 21. The state, I believe, considers a person an adult when they're 18 or over.

**Mr. Pollock:**

You can't drink or you can't go into a pool hall or numerous other things until you're 21. And the bill says 21 so I'm just supporting the bill as it's written.

**Mr. Wagner:**

If I'm not mistaken, this is the same resolution that was in front of Council --

**Mr. Pollock:**

It's not.

**Mr. Wagner:**

What is the difference between this one and the previous one?

**Mr. Pollock:**

It supports the bill but it also adds the declaration of it being Abolition Day in the City of Pittsburgh.

**Mr. Wagner:**

But the bill is still the same bill that exists in Harrisburg?

**Mr. Pollock:**

The bill is the same.

**Mr. Wagner:**

I just want to go on record, last time I abstained in voting on this. This time I'm going to vote against it and the reason being is not that I support capital punishment, necessarily, but I believe that this particular resolution, if I read it correctly, identifies an age limit as to whether or not capital punishment is appropriate.

I'd just like to say that there are also some other items in it that I don't agree with. The argument that the death penalty, and I'm reading the third paragraph, "the argument that the death penalty is the ultimate means of preventing young offenders from committing more offenses rejects the alternative of rehabilitation and the nature of young people is that they will mature, almost always in directions more acceptable to society." I don't agree with that argument, if that is an argument. I personally believe that the way to prevent people from committing murder is in their upbringing, their background and their education and I don't really believe that the way to prevent them from doing it once or twice is with the death penalty.

However, I must state that if a person is 20 years old and they commit murder, I don't know if there's any significant difference between the age of 20 and 21. That's really what this resolution is all about. It's not whether or not capital punishment is or is not the right way to go. As a matter of fact, I commend Governor Casey for not moving in that direction today because I think anyone that was Governor, that would be an extremely difficult decision to make. But, at the same time, the argument of 20 versus 21, when we know the people in our society at the age of 18, 19, 20, are adults, and I consider them to be adults, if Legislator Pistella's

bill referred to people of younger age, that I consider to be younger people, I think there would be a greater potential of me supporting it for that reason. But when the drawing line or the differential is 20 versus 21, at this point I can't support it.

**Mr. DePasquale:**

Mark, if I may. You don't have an age in your resolution but is that contained in the bill?

**Mr. Pollock:**

The bill says it, yes.

**Michelle Madoff:**

I wonder whether the maker of the resolution would consider, even though you are supporting another bill in principle, making the age that we support here as a Council, 16. When you're over 16, when you're 17, there is very little chance that you're going to change.

One of my great concerns is, you're really giving a license to people saying, "Well, I'm under 21. I'll be rehabilitated; I don't have to worry." I'm very concerned about that. I've just seen, heard, read, been exposed to, too many things that have happened. We know other stories that we won't even talk about here in Council where people have not been given the death sentence and have been put in jail and they come out and repeat their crimes.

I believe there is a certain validity to the fact that young people should not be executed for whatever reasons, exposure to their lifestyle. Not everybody, my colleague, Mr. Wagner, understands, comes from a settled home with a mother and a father. Sometimes there are street kids, especially today. I

think we ought to make it 16. If you amend it to 16, I could support the bill.

**Mr. Pollock:**

I can't possibly amend it.

**Mr. Ferlo:**

I don't understand the logic on the issue of the age. Really it comes down to, quite frankly, this says a bill introduced by Representative Pistella and there are people here today obviously trying to get a wedge in on the issue of capital punishment and the most likely ability to do that is to at least suggest in Pennsylvania that people under a certain age should not be executed. But it really gets down to, quite frankly, and I disagree with Councilman Wagner, that you're either for capital punishment or you're against it. There could be a vicious person at age 14 who commits a heinous crime and regardless of whether that person is 14 or 15 or 20 or 21, I think it really comes down to, and it's unfortunately much the same sense of logic that goes into the debate on abortion, you're either for this or you're against it, based on the issue of capital punishment. Period.

**Mr. Wagner:**

That really isn't the issue and I ask my colleague and everyone here to please read this resolution again. Let's not change this into something else. It's simply in support of a bill that determines whether or not the age should be 21. It's nothing more and nothing less than that. And if it were something more or something less, please educate me, because it isn't that. And I am stating, people go into the military at 17, 18 years old; they are held responsible as adults. And that's all this is talking about; at what age should someone be held responsible. If Mr. Pistella's bill

referred to a younger age, I would definitely be in support of it. At the age of 21, at this point in time, I am not. And quite frankly, that's all this resolution is.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Pollock  |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 5                      NOES 4

VOTING NO:

|                 |            |
|-----------------|------------|
| Mr. Coyne       | Mr. Wagner |
| Michelle Madoff | Mr. Woods  |

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Pollock:**

Thank you very much.

**Mr. Ferlo presented**

No. 273 Resolution providing for the letting, during the calendar year 1989, of contracts and for the use of existing Contracts, for the maintenance, rental, rehabilitation, renovation, inspection, or servicing of personal property bonding, insurance, printing and other related services and for the maintenance and repair of buildings,

structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh. The costs thereof shall be and are hereby made payable from funds appropriated therefore to the various departments of the City of Pittsburgh. The City of Pittsburgh shall have the right to terminate Contracts as of December 31, 1989 in the event funds are not appropriated for the continuation of said Contracts in any succeeding calendar year.

Also,

No. 274 Resolution providing for the letting of a Contracts and use of existing Contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1989. The estimated costs will be less than \$10,000.00, as required by the several departments of the City of Pittsburgh. All Contracts entered into pursuant hereto shall provide that the City of Pittsburgh shall have the right to terminate said Contracts as of December 31, 1989, in the event funds are not appropriated for the continuation of said contracts in any succeeding calendar year.

Also,

No. 275 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Compressor, Pavement Breakers, Tampers & Clay Diggers for the Department of General Services at a cost not to exceed \$16,000.00, chargeable to and payable from Code Account GS 86-04, Miscellaneous Equipment for City Departments.

Also,

No. 276 Resolution providing for a Professional Services Agreement or Agreements for the purchase of fuel for City owned vehicles at a cost not to exceed \$500.00, payable from Code Account 1144, Gasoline and Diesel Oil, Department of General Services.

Also,

No. 277 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Susan Gove, Robin Smith, John Davis, Nancy Burgy, Erm Buccina and Clevera Creer to attend computer training on the Mainstream System, Sewaren, New Jersey, March 14-18, 1988, at a cost not to exceed \$4,400.00, payable from Code Account No. 1128, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on General Services.

#### Mr. Lyons presented

No. 278 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a nine-story parking garage extension of 259 parking stalls to the existing nine-story garage for the Mercy Hospital of Pittsburgh on property zoned "I-C" Institutional-Civic District and bounded by: STEVENSON STREET; FORBES AVENUE; PRIDE STREET and LOCUST STREET, 1st Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 279 Resolution providing for an Agreement or Agreements with The Walter H. Drane Company for professional services in connection with the preparation and printing of a supplement to the Pittsburgh Code, and other related work including but not limited to the editing of existing magnetic tapes at a cost not to exceed \$31,500.00, chargeable to and payable from Code Account No. 1005-3, Printing Pittsburgh Code; and transferring the sum of \$1,500.00 from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council to Code Account No. 1005-3, Printing Pittsburgh Code.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 280 Resolution providing for the issuance of a warrant in the amount of \$35,000.00, payable to Mary R. Flaherty, c/o James R. Duffy, Esquire, 1109 Grant Building, Pittsburgh, PA 15219, in the full settlement of a claim for personal injuries arising from a motor vehicle accident which occurred on July 23, 1985, at the intersection of Maytide Street and Biscayne Avenue, Pittsburgh, PA, payable from Code Account No. 46, Judgments.

Also,

No. 281 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Bernard Schneider to attend the National Public Employer Labor Relations Association's 1988 Annual Conference, held in Hyatt Islandia, San Diego, California, from March 27 - April 1, 1988, at a cost not to exceed \$1,700.00, payable from Code Account No. 1017, Miscellaneous Services.

Also,

No. 282 Communication from Richard S. Caliguiri, Mayor, requesting authorization for James Simms to attend a meeting with officials from the Annie E. Casey Foundation, held in New York, New York, February 9, 1988, at a cost not to exceed \$400.00, payable from Code Account No. 1017, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 283 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for Kathleen Farrington to attend the training course offered by Mainstream Corporation, Sewaren, New Jersey, March 14-18, 1988, at a cost not to exceed \$750.00, payable from Code Account No. 1043, Miscellaneous Services, C.I.S.

Also,

No. 284 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meeting of the State Job Training Coordinating Council, Harrisburg, PA, April 12, 1988, at a cost not to exceed \$229.00, payable from the JTPA-1 Trust Fund, federal funds.



Also,

No. 285 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meeting of the Pennsylvania Service Delivery Area Association, Harrisburg, PA, March 24, 1988, at a cost not to exceed \$257.00, payable from the JTPA-1 Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 286 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Tina Palaggo-Toy to attend the 60th Annual Fire Department Instructors Conference, Cincinnati, Ohio, March 28-29, 1988, at a cost not to exceed \$435.00, payable from the PSTA Code Account.

Also,

No. 287 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Albert G. Preik, Police Officers Karen McLellan, Richard Passaro, Bureau of Administration and Police Officer Catherine Vallone, Bureau of Police, Department of Public Safety to attend a Street Survival Seminar '88, Pittsburgh, PA, April 25-27, 1988, at a cost not to exceed \$440.00, payable from the PSTA Code Account.

Also,

No. 288 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Chief Ralph Pampera, Bureau of Police, Department of Public Safety, to attend the National Executive Institute,

FBI Academy, Quantico, Virginia, March 28 - April 2, 1988, at a cost not to exceed \$61.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 289 Resolution providing for an Agreement between the City of Pittsburgh and Ross Township in connection with the resurfacing of Rodenbaugh Avenue between Ivory Avenue and the City line and providing for the payment by the Township to the City of the Township's share of the cost thereof.

Also,

No. 290 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division at a cost not to exceed \$270,000.00, chargeable to and payable from Code Account PW 88-15, Capital Construction Division.

Also,

No. 291 Resolution providing for a Contract or Contracts or the use of existing Contracts for the renovation of walls and related facilities of City property, various areas throughout the City at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 88-12, Emergency Wall Reconstruction Program.

Also,

No. 292 Communication from James N. Walker, Director, Department of Environmental Services, requesting

authorization for Robert Lewis and Darryl Mabrey to attend the 7th Annual Resource Recovery Conference, Mayflower Hotel, Washington, D.C. March 23-25, 1988, at a cost not to exceed \$2,300.00, payable from Code Account No. 1181, Miscellaneous Services.

Which were severally read and referred to the Committee on Public Works.

**The Chair presented**

No. 293 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the February 14, 1988 raid at the Traveler's Social Club, 6525 Hamilton Avenue, Pittsburgh, PA 15206. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 294 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the extreme negligence the Pittsburgh School Board has shown parents by refusing to provide adult supervision and security on school buses, and also requesting that this hearing be televised. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

**UNFINISHED BUSINESS**

**Michelle Madoff presents**

No. 247 Communication from Councilwoman Michelle Madoff amending Rule VIII of the Rules of Council to read "c. All amendments made to any bill proposing an ordinance or resolution can be voted on without

being in writing before the final vote is taken on the bill".

Which was read.

**Michelle Madoff:**

Madam President, may I explain the bill? It has always been, in the ten years I have been here, until the last couple of years, we had democracy. If somebody thought of something or they got information just before they came to Council or over the weekend, they were allowed to make a change and explain their change as being reasonable. And if the members of Council supported it, it passed. If the members of Council didn't support it, it failed. But to put an impediment and pass a bill by saying, unless it's in writing, that sort of really puts a crimp into what I believe is true democracy. And I know that some of our new members of Council have tried to amend bills on Monday and have just not been able to do that.

I don't think it's imperative that we have it in writing; that was done by those who control Council in the previous sessions. I think that we ought to take a good look, a new look, at what we do here and to have a little more leeway because the bills don't pass if the majority doesn't agree with it anyway.

I know some of my colleagues have tried to amend bills on the floor and occasionally there has been an exception made. We should not have to have an exception. If somebody approaches them while we're having session on Monday and says, "Oh, did you know about this?" and you say, "No, I didn't know", and wants to change their position, it should not be, "Oh my God, I can't do something that's responsible and in the best interest of the public because I didn't have it in writing."

And that's the intent of my bill. To go back to the way it was for many years before we had to have it in writing.

**Mr. Woods:**

I'm against it not being in writing for one reason, that many, many times the spoken word is different than the written word. When we make an amendment on a Wednesday and it's not in writing, we come back here on Monday and we can visually see what that amendment is. And since I've been here, and I know I haven't been here as long as Ms. Madoff, but since I've been here, it's always been that way. I agree, sometimes maybe the rules weren't enforced, but I don't know when the rule was changed but I am almost sure that it's always been in writing. I checked back to the Rules since 1978 and it still had to be in writing in 1978. I didn't come to Council until 1981. But they've at least been in the Rules for ten years and I see no difference in changing it.

If, this Council, if you want to have an amendment on a Monday and you can't have it in writing, many, many times we ask for a motion to recommit. We recommit the legislation and we can discuss it and have that amendment again on Wednesday. But not to have it in writing, final action, I think is a very, very bad policy because, as I said, many times you say something and when it comes out in black and white on a piece of paper, it's a lot different.

**Mr. Ferlo:**

Madam President, the reason why I'm opposed to this is that on the issue of amendments, and I've offered one as an example on the Giant Eagle UDAG Grant, I think in the interest of democracy there needs to be lengthy debate and dialogue on amendments because often times, at least for those

amendments that I will offer not only this week but in the future, they're sometimes more substantial than the bills themselves, and actually alter substantially the content of the bill.

I would like to see debate and dialogue in the Wednesday Finance sessions, especially since at that time we can interact with the various department directors as well as other administrative staff people and still allow time for Councilmembers to lobby each other prior to the final vote on the Monday. I'm just worried that in doing it in the last minute, it sort of negates the ability of people to organize around an amendment or to lobby effectively their colleagues on the content of anything substantial.

While it may seem like a democratic thing, I think in the end it's not actually democratic and, in fact, I would suggest that amendments continue to be a part of the Finance Committee Meeting so that they can be debated and have discussion on.

**Michelle Madoff:**

I am not going to say that it was not part of the rules; the rules were enforced as it applied to friends or not to friends. They were not uniform. What I am saying, very succinctly, I hope, is that on occasion, I bet somebody is going to vote against my bill today and say, "May I leave the room?" and come back and have it in writing during budget time when we're down to the wire, and it was said, "No, you don't have the time to leave the room and take a five minute recess and get it in writing."

And while I agree in principle with Mr. Ferlo that very frequently the amendments do require debate and indeed with Mr. Woods that you can recommit the bills, those who control this Council have prevented recess, those

who control have prevented putting the bill back in Committee, and railroaded the bills through without having some very simple amendments made at the table that came up at the last minute.

I'm just dealing in history and in fact. Based on that, everybody has to vote their conscience.

**Mr. Wagner:**

Madam President and members of Council, in regard to Bill 247, all Councilmembers are aware of the procedure but sometimes the public is not fully aware. Every bill has two votes; the preliminary vote which occurs on the Wednesday prior to the final vote which is a Monday Legislative Session like today. At that Wednesday meeting, we have the option verbally to make amendments to bills without it being in writing. What this bill by Councilwoman Madoff is suggesting is that we do the same at the final meeting here today after the preliminary vote has taken place. I personally disagree with that because when you're taking a final vote on a bill, seconds before the vote, you cannot have someone making a verbal motion to amend. An amendment can be two words or it can be two hundred words to that bill. Everyone needs to take a look at that amendment and determine what impact it has on the bill. I have never seen once, where someone had a legitimate amendment, that it was not considered. And anyone that has a legitimate amendment will come in front of this Council prior to final vote on the bill with it in writing.

So, consequently, I think it's a very healthy democratic procedure. It has worked very fairly not only for this Council but for the people of this City with the proper type of legislation and I am hopeful that it will continue in the future.

**Michelle Madoff:**

Madam President, I loved the analysis of my bill and the explanations for me. I appreciate all the help because we all can use help.

Traditionally, in 99.999 percent of the time, my colleague is correct. And I said that probably someone who is not going to vote for this bill was one of the people, and it was indeed Mr. Wagner, who during a budget hearing, as a matter of fact, on two occasions, and I just checked with some of my colleagues and it was true, tried to get an amendment, asked for a recess to either go out and write the couple of words down, and was denied that prerogative.

All I'm saying is that sometimes there's an emergency, sometimes something happens at the last minute where we get some information that we were not privy to because, while we vote on Wednesday, sometimes you don't get some information until over the weekend and we do vote again on Monday. I think there has to be a little leeway to allow a change, an amendment made verbally to amend a bill in a matter that is not significantly going to destroy the City providing there are five votes in favor of that. And I find it most humorous that while in appearance it would look like I'm trying to destroy the democratic process where we vote on Wednesday and we shouldn't have to change anything on Monday, those who are voting against me have tried to make the same changes. I find that extremely amusing.

**Mr. Ferlo:**

Madam President, is it not true that in times, as Councilwoman Michelle Madoff outlined in the annual budget process, if there were times when that needed to be done, is it not true that a majority of Council could suspend the

rules to do that?

**Michelle Madoff:**

Unfortunately, those in control did not permit. There are new alliances now but when it happened, those people were told no, you can't leave the room; no, you have to vote right now; no, you can't amend it. That's why I came up with this motion. It was not a frivolous thought; it was to have democracy, true democracy.

Do what you want about it; I'm just telling you the facts of life.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne            Mr. Pollock  
Michelle Madoff

AYES 3            NOES 6

**VOTING NO:**

Mr. DePasquale    Mr. Wagner  
Mr. Ferlo           Mr. Woods  
Mr. Lyons           Mrs. Masloff  
                      (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Mr. Ferlo presents**

No. 237    Communication from  
Councilman Jim Ferlo amending Rule XII  
of the Rules of Council to read, "No rule

of the Council shall be amended or changed except by a majority vote of the members elected thereto and after one week's previous notice to the members of Council, in writing, of such change desired to be effected".

Which was read.

**Mr. Ferlo:**

My explanation, very briefly, as read, is that it takes a majority of Council to pass legislation in this City from any taxing matter to budgetary administrative priorities; you name it, any substantial thing affecting the City of Pittsburgh gets done by a majority of this City Council, except to override a veto which takes six votes, and I believe seven votes to override the Planning Commission. I think in terms of rule changes, it should be a simple majority vote of the legislative body of City Council. I think it's a question of democratic majority.

**Mr. Coyne:**

Madam President, I would have to disagree with Councilman Ferlo on this bill. It's possible that when we have a quorum here on Council, five people, and you vote to make a change, even if you do let the members know a week ahead of time, you could still pass a change in the Rules of Council with only three votes.

**Mr. Ferlo:**

Excuse me, point of information. Majority means, as it is the case by law, five votes it would take.

**Mr. Perry:**

It's a majority of the members elected. It would have to be five or six votes, however you call it. It has to be

members elected, not members present.

**Mr. Ferlo:**

It would take five members elected to do this.

**Mr. Coyne:**

Okay, my mistake.

**Mr. Pollock:**

I think it's something that is not subject to a mayoral veto, as Mr. Ferlo actively pointed out, that the votes that we take that require a majority are subject to a mayoral veto and thus it would take six votes of Council to override a mayoral veto. If we vote on something that does not require or does not permit a mayoral veto, then that same burden should be met of six votes. In other words, Mr. Ferlo has actively stated that we require five votes to pass something but our brilliantly conceived system of checks and balance means that it actually requires six votes because, if the Mayor does not support it, the Mayor of the City of Pittsburgh can veto it which then means that to pass it we need six votes. If something does not have a mayoral veto, it should have the same burden of having a six vote majority, a six vote requirement for Council. I think something as important as our rules should similarly also in and of itself require a six vote total.

**Mr. Woods:**

I'm not going to debate it much; I just want to say that the Mayor has no, to my knowledge, has no authority over the Rules of Council, whether it takes five, six, seven or nine votes. So, to use the mayoral veto, I just think is terribly wrong.

And you must remember that it

took five members of Council years ago, and I checked this out, to create the Rules of Council. Therefore, if you can go for a legal opinion, Mr. Pellegrini, our City Solicitor, will tell you you can change them with five votes today, if someone really wanted to argue the point.

Also, you have to remember that this Council right here, six of us, or five of us, could change the rules saying it would take nine members of Council to change the rules, which would be a terrible thing, especially when you have a district council coming up where you probably will never have nine members to change the rules. I think five, the majority, is what it should be. It takes five people to vote for the President of Council, it takes five people to vote for any piece of legislation, and there's nothing more important than the head of this Council, the President, and it only takes five people; it doesn't take six people to vote for that. And this rule change, I think, is legitimate.

**Michelle Madoff:**

I am inclined to agree with the comments by Mr. Woods; however, I think we ought to, as Mr. Wagner said, in case there are some people who don't understand how the system works, I would like the opportunity to explain how the system works. The system works that when we want to appoint a President Pro tem, if we have the power and the rest of the votes and the buddies on Council, we just go ahead and nominate him; we just appoint him without even a vote. We don't even obey the Rules of Council. And if we want to have an illegal President Pro tem, you go ahead and you nominate that person; you don't change the Rules of Council, you just go ahead and you do it.

Frankly, it isn't going to make any

difference whether you have nine votes or five votes or six votes, because what it really boils down to, and I must tell you, I am, I wouldn't say bitterly, but I am terribly disappointed. I thought the new Council was going to be one where the public would have the five votes because in all the time I've been here it's a 5-4 vote with the public losing out, always being on the 4 end of the vote. That's my personal opinion. And it appears now that it's tough to get five votes in the public interest.

**Mr. Ferlo:**

I agree with you.

**Michelle Madoff:**

I think that it is really irrelevant whether you change this from five to six because those who have their buddies voting with them will do what they want anyway.

**The Chair:**

I don't agree with you. I think there are five people who will vote in favor of the public's interest.

**Michelle Madoff:**

Madam President, in response to that, thank God we have Council gavel to gavel on cable and people can decide for themselves what's really happening. They're not stupid; they know when somebody gets here and says, "I am going to nominate somebody for President Pro tem" and you couldn't even get a legal opinion; you couldn't get five votes out of your Council to get a legal opinion.

**Mr. Wagner:**

Since my name has been used again on the bill, I wasn't going to comment but I will. I'm also very happy that it's

on T.V. and the public has the opportunity to see what goes on.

Madam President got five votes to be elected President; no one knows that more clearly than myself, and it was a very justifiable election. But in regard to how the system works, Councilwoman Madoff, if it doesn't work in your benefit, you say the system doesn't work. And that's really not the case here on Council. Council is a majority and if you have five votes, you win on an issue. I've lost on many, many an issue and I've never once said the system doesn't work in my benefit.

We have nine members, five is a majority; that's what this rule change suggests and I support it.

**Michelle Madoff:**

Madam President, I cannot let that go unanswered. Mr. Wagner introduced the bill to put Mr. Woods as President Pro tem, which is legally in violation of the Rules of Council that Mr. Ferlo now wants to amend. That is a fact and everybody listening knows he did that. That's a fact. So now he can say he didn't object and then you can have Mr. Woods say, "Well, it may have been illegal, but we did it in public".

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |            |
|----------------|------------|
| Mr. Coyne      | Mr. Lyons  |
| Mr. DePasquale | Mr. Wagner |
| Mr. Ferio      | Mr. Woods  |

AYES 6 NOES 2

(MR. POLLOCK AND MRS. MASLOFF  
VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of  
Council being in the affirmative, the bill  
passed finally.

**Mr. Wagner presents**

No. 256 Communication from  
Councilman Jack Wagner amending Rule  
IV of the Rules of Council to read, "a.  
At its organization meeting or thereafter  
Council shall, by a majority vote of all  
Councilmembers, elect one member to  
serve as 'President pro tempore' for the  
ensuing term" and by adding "b. In the  
absence of the President and the  
President pro tempore, the members  
shall elect a temporary President pro  
tempore to chair that meeting provided  
there be a quorum present".

Which was read.

**Michelle Madoff:**

Clarification, please. Mr. Wagner,  
is this an amendment to remove Mr.  
Woods whom you nominated for  
President Pro tem and change the rules  
so you can do it legally?

**Mr. Wagner:**

Is that a question or is that a  
comment?

**Michelle Madoff:**

That's my question.

**Mr. Wagner:**

If I may comment on the bill, I will  
answer your question in the process.

**The Chair:**

Please do.

**Mr. Wagner:**

In regard to Bill No. 256, very  
clearly it's an amendment to Council  
Rules and the amendment pertains to the  
President pro tem position.  
Approximately four weeks ago, I  
nominated Councilman Woods as  
President pro tem. He received six votes  
in the nomination to become President  
pro tem. It was brought to my attention  
by you and by others that that did not  
clearly follow the Rules of Council. In  
looking at the Rules of Council, I  
determined that you and others were  
accurate; it did not clearly follow the  
Rules of Council in that what the Rules  
of Council stated was that any time  
when the President was not present for a  
Council meeting, that Council by a  
majority, by five votes, would elect a  
person to serve as Council President.  
That's what the rules presently state,  
prior to this vote on a proposed  
amendment. The problem there, as I saw  
it and stated it then and will state it  
again, without the President of Council  
here in these Chambers, there is no one  
to chair the meeting. Traditionally, it  
has been that a President pro tem was  
appointed by or elected by the majority  
of Council. There has never been a  
disagreement on that in the past until I  
nominated Mr. Woods as President pro  
tem.

I am trying to clarify what I



originally intended to do, and in doing it I saw that there was a violation or there was not anything in the Rules of Council to support what my original motion was. I am therefore changing with this rule amendment the rules so that that can be done through a democratic process of the majority of this Council.

**Michelle Madoff:**

Madam President, I would like to thank Mr. Wagner. I know that many of us fought tooth and nail the day that he made the appointment and we said to him, if you wish to have Mr. Woods as President pro tem, you have the votes anyway; as a matter of fact, if I recall correctly, Mr. Ferlo said, "Why bother changing the rules; he's going to get what he wants so why even take the time?"

But it was determined by most of us here at the table, not most of us but many of us, that it was indeed an illegal vote and we urged him to please review the Rules of Council and to make that change, which he refused to do and proceeded to go ahead and make the nomination.

Subsequently, for whatever reason, Mr. Wagner has seen the light and I think that's wonderful and if I played any role in that I think that's great and I think anyone that changed their mind should be commended.

**Mr. Ferlo:**

I think future civic historians will find Mr. Wagner's comments a brilliant explanation at eating humble pie and that's exactly the case, as Ms. Madoff said, and I'd like to proceed with the vote.

**Mr. DePasquale:**

Madam President, I wish somebody

would define for me permission to leave the meeting. I don't want to be facetious but if someone has to step out for a cup of water or to go to the bathroom, do they have to raise their hand?

**The Chair:**

I don't think that's the case, Mr. DePasquale. If you go out, you say to somebody, I'll be right back. But if you're leaving permanently, I think that should be established.

**Mr. Coyne:**

Madam President, in the interest of getting on with the City's business, I think it would be smart for Council to let personal differences die at this point. I think Councilman Wagner has made a valid explanation of his decision to bring this rule change forward and I think we should call for the question on the motion right now so that we can get on with more beneficial business for the City of Pittsburgh.

**Michelle Madoff:**

One quick question; I'm a little confused. I don't know whether Mr. DePasquale was being facetious or an attempt at humor, but is there anything in this bill that said if anybody leaves the meeting?

**The Chair:**

It says that no member shall depart without leave from the President.

**Michelle Madoff:**

Let me tell you why that is not frivolous. We've had some serious questions here on votes that pertain to issues that were unpopular with various members of Council who are no longer here and they were on racial issues.

Members would conveniently get up and walk out so they didn't have to vote and when they came back, on occasion I would ask whether we could ask for their vote and they were not forced to give their vote.

I think that we ought to go by the rules and I believe the rules are such that if anyone leaves the room, they can request that their vote be allowed when they come back. If you request that you have the privilege of voting, you do have the privilege to vote. But if you don't request it, you lose that right to vote. I would hate to see people wandering out of the room at a sensitive issue and not have their vote recorded.

We've seen this happen over and over again in the last years and I think that's an issue that we just can't brush over very lightly. I think it is appropriate if somebody is going out for a glass of water — I don't know the exact terminology, I used to know what it is, but I think it's "I reserve the right to cast my vote before the meeting ends".

**Mr. Wagner:**

Madam President, point of order. That's not the issue in front of us.

**The Chair:**

That's part of the amendment, though, Mr. Wagner.

**Mr. Wagner:**

No, it isn't. It's part of the rule but it's not part of the amendment that I have proposed.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Michelle Madoff          |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Coyne:**

Madam President, one question. Now that we have passed that rule change, is Councilman Woods still considered President pro tem or are we going to have to vote again?

**Mr. Lyons:**

We have to vote again.

Madam President, I think in the previous motion that related to the motion for Councilman Woods to be President pro tem, I'd like to have reconsideration to that motion so it could be wiped out.

**The Chair:**

It's been declared illegal.

**Mr. Lyons:**

I make the motion that Mr. Woods be President pro tem.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

Are there other nominations?

**The Chair:**

Yes.

**Michelle Madoff:**

I nominate Mark Pollock.

**The Chair:**

Is there a second to that nomination?

**Mr. Perry:**

You don't need a second.

**Michelle Madoff:**

My rationale is that he is the Finance Chairman and for the many years that I've been here the Finance Chairman has taken over for the President; the President has taken over for the Finance Chairman and it has worked very well. If we want to go back to obeying the Rules of Council, any time there's quorum and neither are present, we can elect someone at that point. That would be my recommendation.

**The Chair:**

We're voting on the appointment of Mr. Woods or Mr. Pollock as President pro tem. Is there any further discussion on the nominations?

« Clerk, call the roll.

**Mr. Coyne:**

Mr. Pollock.

**Mr. DePasquale:**

Mr. Woods.

**Mr. Ferlo:**

Mr. Woods.

**Mr. Lyons:**

Mr. Woods.

**Michelle Madoff:**

Mr. Pollock.

**Mr. Pollock:**

Mr. Pollock.

**Mr. Wagner:**

Mr. Woods.

**Mr. Woods:**

Mr. Woods.

**The Chair:**

Mr. Woods.

MR. WOODS 6 MR. POLLOCK 3

#### REPORTS OF COMMITTEES

**Mr. Pollock presented**

Bill No. 295

Report of the Committee on Finance for February 24, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 136

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Seventy Five Thousand, Five Hundred and Sixty-four Dollars and Sixty-eight Cents (\$75,564.68) in favor of the Buncher Management Agency, Inc. for payment for necessary renovations at the Gateway View Plaza Facility, not covered under lease agreement. Funds are available in Capital Account GS86-06, 4-30-01-0010-86, Index Code 370684, Department of General Services."

Which was read.

Also,

Bill No. 197

A Resolution entitled, "Resolution providing for the issuance of a \$1,400.00 warrant in favor of Mary Ruth Aull in settlement of claim for automobile damage and car rental."

Which was read.

Also,

Bill No. 198

A Resolution entitled, "Resolution providing for the issuance of a \$873.00 warrant in favor of Thomas and Geneva Adams in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 203

A Resolution entitled, "Resolution authorizing issuance of a warrant in the

amount of \$5,600.00 in favor of Ace Demolition Inc., 3810 Crooked Run Road, North Versailles, PA 15137 in payment for emergency demolition of 560 Singer Place, Ward 13, without previous authority of law and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 296

Report of the Committee on Public Works for February 24, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 207**

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of an Appliphase Squeeze Roll Applicator machine to be used at the Painting Division and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 208**

A Resolution entitled, "Resolution granting unto Robert F. Berberich and Kathleen M. Szuch, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a shed and side yard on a portion of the Right-of-Way of Ray Avenue in the 19th Ward of the City of Pittsburgh."

Which was read.

Also,

**Bill No. 209**

A Resolution entitled, "Resolution vacating an Unnamed Way 7-Foot from Windom Street to the northerly line of Norton Street extended for a distance of 90-Feet, reserving the 2" water line located therein in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

**Bill No. 210**

A Resolution entitled, "Resolution vacating a portion of an Unnamed Way from Colwell Street, as vacated, for twenty more feet, in the 3rd Ward of the

City of Pittsburgh."

Which was read.

Also,

**Bill No. 257**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Buncher Company relating to the acceptance of certain property of the Buncher Company to be used to relocate Glen Mawr Avenue and the vacation of the old Right-of-Way in the 20th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

**AYES 9                      NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

**Bill No. 297**

Report of the Committee on Planning, Housing and Development for February

24, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 190

A Resolution entitled, "Resolution Repealing Resolution No. 939, effective October 1, 1981, entitled: 'Providing for an Agreement or Agreements with the Garfield Community Organization, Inc., and the Stanton Heights Civic Association, Inc., for the staffing and operation of an inter-community office in connection with the Stanfield Urban Development Action Grant and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 191

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981; and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212, and 1012 of 1983, and by Resolution No. 151 of 1984, entitled: 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1981 CDBG Program,' so as to decrease line item CP-81-10, 'Stanfield' (-\$30,000.00) and increase City Council, 'Unspecified Local Option' (CC-81-01)."

Which was read.

Also,

Bill No. 192

A Resolution entitled, "Resolution No. 793, effective September 22, 1986, entitled: 'Resolution providing for an Agreement or Agreements with Hill House Association of Pittsburgh and the Urban Redevelopment Authority for renovation of the building at 2083 Bedford Avenue at a cost not to exceed \$27,000.00', so as to increase the project amount to \$52,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 193

A Resolution entitled, "Resolution amending Ordinance No. 31 of 1978, effective November 24, 1978, entitled: 'Declaring the need for a Vacant Property Review Committee to function within the City of Pittsburgh and creating the same pursuant to the

authority of the Urban Redevelopment Law, Act of May 25, 1945, P.L. 991, as amended is amended to change the composition of the membership of the Vacant Property Review Committee."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 195

A Resolution entitled, "Resolution amending Resolution No. 1048, effective December 22, 1987, entitled: 'Providing for the execution of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Commonwealth of Pennsylvania, Department of Community Affairs Enterprise Zone; and providing for the payment of the costs thereof not to exceed \$23,841.00 to include the Penn

Gate Enterprise Zone and increase the funding by \$1,755.00 from \$23,841.00 to \$25,596.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 298

Report of the Committee on Engineering and Construction for February 24, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 185

A Resolution entitled, "Resolution Repealing Resolution No. 519, effective July 11, 1983, entitled: 'Providing for an

Agreement or Agreements for professional services in connection with elevator maintenance at various City facilities; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 186

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the P.J. McArdle Roadway Sidewalk Rehabilitation; and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

Madam President, on Bill No. 186, in relation to spending \$225,000 to put some sidewalks down on McArdle

Roadway, I'm opposed to that and I'm disappointed that we're voting on this without having any clear indication from the Department of Public Works as to whether or not it's possible that these sidewalks could be put down by City workers. We have cement finishers on the payroll. This amount of money, \$225,000 to be let out to outside contractors is probably about three times as much money as is needed to do the job. I'm voting against this because I think it should be done in-house; it can be done competently.

Secondly, with that amount of money, if we did it in-house, we'd actually have money to repair some of the concrete stairwells throughout the hilly districts and neighborhoods throughout the City of Pittsburgh. So, I'm very much opposed and disappointed in this legislation.

**Michelle Madoff:**

I think we have to go back and review what happened and the dialogue with Mr. McDermott with reference to this bill and the \$225,000. In principle, I happen to agree with Mr. Ferlo; as a matter of fact, I have some drawings that I got from Public Works that showed us how sidewalks are put in and how curbs are put in, and they're pretty standard and pretty basic. You can give it out to almost any contractor without having to have a consultant do a lot of the work.

The problem, as I understand it, and I think it's important to reiterate, is that it took seven years and hundreds of thousands of dollars to redo the bridgework on McArdle Roadway. And during the seven year period, either all of McArdle was shut down or one lane of McArdle was shut down so that tourists coming to Pittsburgh, like the Prince and like the Today Show, the first thing you



go to show them is what is known as our Niagara Falls, our showpiece, the overlooks on Mount Washington of the City. The Today Show opted to go to the North Shore because it was almost an embarrassment to take them up McArdle Roadway.

Today and yesterday, as I came down McArdle Roadway, the street is blocked off again; they're cleaning it up for the Prince so it will look clean; ragged, torn, unpaved, sloppy with grass and weeds growing through the cement, but nevertheless, tidied up for the Prince, not for the citizens who pay the taxes but to show us off, and perhaps that's what we should be doing.

The \$225,000, I understand, Mr. Ferlo, is because the electrical wiring, the catch basins that must be factored into the cement work and the poles so that when they come back, there's going to be a lot more than \$225,000 which, incidentally, is a quarter of a million dollars and we've already spent millions. We'll probably have to tear a lot of this up. The walls have got to be put in, the retaining walls; that's the cement retaining walls. And the guardrails are going to have to be put in. The electrical work is going to have to be put in; you heard Mr. McDermott say that was not part of this number. We have piecemealed that project to death. It is a disgrace.

Grandview Avenue has had the street torn up for a waterline; now it's being torn up for a sewerline. The impact on the businesses and on the people living up there has been unbelievable but more important, really more important than the inconvenience to people living there because they have other roads in and out of the area if you know where they are, those of us who live there do know where they are, is that the impact on businesses, people

going up to Mount Washington, but tourism which has got to be one of the sources of income for our City, has been severely, severely damaged. And it will be again and again and again until McArdle Roadway is really finished and cleaned up. It is obviously, in my opinion, the responsibility for the terrible neglect, the terrible planning and the lack of foresight in looking after the problem must be squarely laid at the feet of Mr. McDermott for very poor administration of the Construction and Engineering Department.

We can't vote against the \$225,000 because it's a little bit to get things going. But I want you to know it's only the tip of the iceberg; you're going to see millions more and I would like to make a request, if I have the President of Council's permission, for Mr. Perry, can we have all the monies spent on the McArdle Roadway for rehabilitation on the bridges, the consulting for the bridgework that has been done to date, the amount of money that has been spent on cleaning the catch basins out on a regular basis, what it's going to take to put the rails in on the side, the meshwork on the bridge, to replace it, there are pieces of the rail completely out, re-doing the sidewalk on the curbside of the wall, not the sidewalk side, and re-doing the walls. I will tell you, it will be millions more. And doing it piecemeal has tripled the price; it would have been done for a third of the price.

**Mr. Wagner:**

On the bill on McArdle Roadway, I support that bill. The sidewalk does need repaired. It's in disrepair to the point where people could be injured walking on it. However, we all know, and I know because I use the road quite often, not many people actually use that sidewalk; probably 100 a day use it. However, it still needs to be repaired.

But I'd like to make a request through the City Clerk, in doing this work it was mentioned to me by a Building Inspection employee over the weekend, and it was a legitimate comment, that that's a very wide sidewalk and maybe the sidewalk, they said it was a six foot sidewalk, maybe it could be decreased to four feet and the Roadway could be slightly widened to reduce the potential of vehicular accidents on the Roadway and possibly even a median barrier sometime in the future.

So, I'd just like that to go with the passage of this legislation. If the sidewalk does not have to be the width it is, can the width be made less and possibly even, in the process, the cost could be reduced.

**Michelle Madoff:**

Madam President, I think Mr. Wagner's concerns are genuine. The problem with that road is, as you turn onto it from the top, at Grandview, it is a sharp turn there; it was very, very badly engineered and very, very badly designed. That's where you can really hit somebody.

But the rest of the road, there have not been any accidents on the road. The problem is that there is water running off the hillside and freezing. One of the owners of one of the restaurants on Mount Washington was indeed knocked unconscious and was in a coma for several hours skidding on the ice that was created from the freezing water running off the hillside. That's the wall I'm talking about. If that isn't done, that road started to be repaired properly very shortly, I'm going to start to bring into this Council pieces of the curb that are falling off into the middle of the street. I'll put them in my trunk, have somebody pick them up, and have them wheeled

into Council every week or every time we have a session. I'll bring you pieces of McArdle Roadway and we'll give it to Mr. McDermott so he can put it back. Maybe somehow if we focus enough attention on it, that will happen.

I remember when we did the Larimer Bridge, you recall, everybody said the kids were throwing stuff off the bridge. It turned out it was water going into the crevices, freezing and pieces of the bridge were falling off and at one point, on Election Day, as you know, pieces of the bridge went through somebody's windshield and he was blinded and all the electricity was put off in that area.

The cement coming off the wall is damaging and dangerous to people driving on the road. It is the entire restructuring of McArdle Roadway that must be addressed.

**Mr. Ferlo:**

Mr. Wagner also raised an issue regarding the McArdle Roadway which I think adds a different twist now and it's unfortunate that in opposing this \$225,000 for outside contractors, I am not opposed to renovating or rehabbing the sidewalk. Obviously, it needs to be done. I'm only suggesting that it can be done, probably, quicker as well as cheaper by the City workforce.

The point that Mr. Wagner raises on the possibility of reducing the width of the sidewalk, it might be a constructive idea but I fear, knowing the Department as I do, and recognizing that it took many thousands of dollars in consultants to design the sidewalk in the first place, not to mention to put down the concrete, that if he makes any alterations to the plan, Mr. McDermott will spend another \$100,000 trying to figure out how to reduce the width of the

sidewalk.

So, either table this and let's go back to the drawing board, or vote it down.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 206

A Resolution entitled, "Resolution amending Resolution No. 1094, effective January 1, 1988, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program', by creating a new line item entitled, EC 88-65 'Troy Hill Fire Station #39, Rehabilitation.'"—(SPONSORED BY MR. WOODS)

Which was read.

**Mr. Ferlo:**

On Bill No. 206 in relation to the Troy Hill Fire Station #39, I am hoping that this will be a unanimous vote of Council. The problem is that in appropriating, if we vote in the affirmative, the \$500,000, there's no guarantee that this will necessarily be done by the Administration. And I'm hoping that if this vote proceeds and we vote to budget the \$500,000 for the fire house, that we will be able to get a clear indication from Director Cannon and the Mayor what their intentions are exactly, no later than June or July when they formulate the capital budget, in relation to the repairs and the rehabbing of this building.

So, I'm putting on notice in support of this bill that I hope Councilmembers will join together and voluntarily issue a deadline of June or July whereby the Administration will let us know specifically what their intention is on the rehabilitation of the fire station. If not, I will be introducing a resolution in June asking the Mayor to come forward before this body to specifically talk about this issue.

**Mr. Wagner:**

Madam President and members of Council, in regard to the Troy Hill fire hall bill, I definitely support it and I'd like my comments brought forward for the Record for last Wednesday's meeting and I'd like to further state that the decision there really is not a Public Safety decision. I stated that last week and I am saying it again. It's a budgetary planning decision. I think, though, that this Council use whatever influence it has to make sure that those monies remain in the budget and that the rehabilitation work begins on that building.

**(MR. WAGNER'S REMARKS ON BILL  
NO. 206 - WEDNESDAY, 2/24/88)**

**Mr. Wagner:**

I have one comment in regard to the bill, and I mentioned this to Director Cannon. I believe I mentioned it at the public hearing last week. I have never seen a community support keeping a facility as much as Troy Hill has, and because of the uniqueness of that neighborhood and the identity that that neighborhood has, not only in the City, but to the people that live within it, this has become an intrical part of that neighborhood. For that reason, I believe the project deserves some special exception for renovation work, and basically that's what we are talking about. We are not talking about a new fire station. We are talking about reviving a building which may even be a historical building -- at least in the neighborhood I'm sure it is -- but restoring that building and putting it back in such shape that a firehouse can continue to operate in it for an extended period of time.

**(END OF REMARKS)**

**Michelle Madoff:**

On Bill 206, I agree with Mr. Ferlo that our passing the bill isn't going to get us the fire station and I'm not as magnanimous as he is. I cannot wait until June. I think that we must give the Administration two weeks, the budget office two weeks, to tell us. It is not a safety issue; it is a budgetary matter, as Mr. Wagner stated. What we need is two weeks in which to tell us which item will be put back and how this piece of legislation, the Troy Hill Fire Station which was promised light years ago and has precedence and promise from previous Councils would be put on the front burner. In other words, I want to

see a realignment of the line items, that indeed Troy Hill will be built or reconstructed, rehabbed.

**Mr. Ferlo:**

I disagree with both of my colleagues. At a public hearing, the person who is not yet convinced that this need to be done is the Public Safety Director and I think the comments by the Director of Engineering, Mr. McDermott, were also in that vein, that until, I think he used the term user department requested, he's not going to move on it at all. It's clearly in the lap of the Mayor and I'm only pointing out that ultimately the Administration needs to make the decision. But I think the Public Safety Director, from what I've been able to gather at the public hearing, is not yet in favor of this rehabilitation and I think there's very clearly still a move on in the so-called Public Safety Department to consolidate further and eliminate further some of the fire houses and engine stations around the City of which this happens to be key on the list.

So, I think there is disagreement within and among the Administration. I don't think the Public Safety Director is on-line in support of this. That's one of the problems. The second problem is that the Administration itself needs to decide what is the priority.

**Michelle Madoff:**

On Bill 206, Madam President, I have spoken with old parties in the Administration and it is, in my opinion, in speaking to them in private, that this is not a Safety issue; the Safety Director has no say in what is to be built. But one of the things that all Directors must do, and that is loyalty. Their's is not to wonder why; their's is but to do or die. They are to speak for the Administration; they are not to speak

against the Administration. You can't ask them to do that; it's unfair and unjust for us to do that, and I do it often enough because I figure it's the only way I can get my message back. So, I know your frustration.

However, Mr. McDermott, when I approached him during the hearing and said, "Mr. McDermott, what are you going to do to get us the Troy Hill Fire Station which was promised ten or so years ago?", he said, "Well, I would need a directive from the Administration giving it a priority assignment."

Therefore, I'm suggesting that we don't need to wait until budget time; we have a request from this Council. We vote for it, and we already voted for it unanimously at the Wednesday meeting, that a letter goes out from this Council or from the President of Council requesting from the Administration a commitment that indeed this will be a priority and begin immediately, construction or design or whatever is needed, to get this bid prepared so we can start doing the construction. It will be the priority of the City next to lifesaving issues like water, although now I believe water is in Water and Sewer Authority so it would not have to be a conflict. That there is a commitment from the Administration to have the Troy Hill Fire Station as a priority and that we will know that it is indeed going to be done and something else would be delayed, something that is probably not ready to go anyway or we don't even have our monies yet or our commitment. There is no reason we should not proceed.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

I would like a letter to go to the Administration, Finance Department, asking that we have a commitment to put the Troy Hill Rehab as a priority item. Do I have a second?

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

My second item. I'm sure everybody has heard that Duquesne Light is about to bring the City to its knees if they are granted their 75 percent increase. There are people in this City who are going to eat dog food, who are barely getting by on cheap hamburger; there are people who are going to choose between eating and freezing. We have a responsibility to support the Administration; we have just been notified that the Mayor is going to appeal that rate increase and I would like a vote of confidence from this Council

supporting the Administration. I make that in the form of a motion.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Could we have a letter going from the President of this Council to the Mayor saying that we unanimously support him in his efforts, Madam President, with your signature?

**The Chair:**

Yes, that letter will go out.

**Mr. Wagner:**

Madam President, same issue. I'd just like to mention, we had a resolution earlier that talked about the LTV electric arc furnaces. To my knowledge, it hasn't been taken into consideration by the people in the PUC that if, in fact, that were to happen within the next year or two, that has a significant impact on the profit margin of Duquesne Light Company in that between five and ten percent of their total power generated was utilized at the electric arc furnaces on the South Side. And the LTV company, as a matter of fact, when it went into bankruptcy, owes them millions of dollars; I believe somewhere in excess of \$10 million to Duquesne Light Company. But the PUC, I believe, is not taking in all the appropriate information here and that could be one large variable that could potentially add to their profit margin in the future.

**The Chair:**

Are you suggesting that we write to the PUC as well?

**Mr. Wagner:**

Yes.

**Michelle Madoff:**

I'd like that clarified. What would be the purpose of pointing out to the PUC that the electric arc maybe go back into operation? That they should give them the rate increase because they would get the money?

**Mr. Wagner:**

No. The point I'm making is that that is such an issue of importance here within Council, within the City, the Steel Valley Authority, and it has a significant impact on the profit margin of Duquesne Light Company. And if in fact that project is going to move forward, and all of us hope that it does, Duquesne Light will need even less monies in the future than they need today.

**Michelle Madoff:**

Excuse me, it's because an electric arc uses a tremendous amount of electricity; is that your rationale? You got me confused because you talked about the debt.

**Mr. Wagner:**

Well, just the use of those electric arc furnaces, two of them in the South Side, was between five and ten percent of the total power generated by Duquesne Light Company.

**Michelle Madoff:**

And it was done on request. J & L requested that capacity be made available. I think it would have been prudent to have had some kind of contract because J & L is a subsidiary of LTV and I think LTV still owes that

money. And I believe, Mr. Wagner, that Duquesne Light is going after the parent company to collect that bad debt. So, you're not talking about the bad debt, which is what you confused us on, because they're going to, hopefully, collect their bad debt. It's owed.

What you're saying is, electric arcs are large users of electricity and therefore would generate some revenue and therefore they wouldn't have to put it on the backs of the taxpayers and the residents of this community. Is that basically your point?

**Mr. Wagner:**

That's correct.

**Michelle Madoff:**

I might point out that I donated my three shares of J & L stock to the electric arc furnaces. They were supposed to build a cube op and didn't, so I gave it to the electric arc anyway.

**The Chair:**

Mr. Wagner, will you give us the information on that and we'll see that a letter goes forward.

All in favor of a letter going to the PUC? Opposed?

WHICH MOTION PREVAILED.

**Mr. Ferlo:**

Madam President, on three separate matters. About a month ago during the time of the commemorative events of Dr. Martin Luther King, Jr., I convened a group of citizens from around the City from all different kinds of organizations around the issue of developing a tribute to Dr. King. As a result of two initial planning meetings,

there was tremendous enthusiasm and support for a tribute along the lines of some type of major art piece, some type of statue, and the discussion that took place focused in on either Market Square or some other well known public facility in downtown City of Pittsburgh.

It was also mentioned in the initial planning meeting about the idea of the renaming of Market Square. I can safely say that as a result of discussions that I've had over the last two weeks of people grabbing my arm as well as a tremendous number of people who called my office, I would have to admit overwhelmingly that while there was tremendous support for the idea of some type of tribute or statue or art piece, there was very little support and, in fact, severe criticisms of me for even suggesting the renaming of Market Square.

With that in mind, I will convey that information to the planning meeting that has been convened and we will attempt to focus our efforts on the development of this tribute in terms of the significant work of art.

On the matter of the School Board meeting —

**Michelle Madoff:**

On your first subject I would like to make a comment.

**The Chair:**

Let him finish his discussion first.

**Michelle Madoff:**

Are you still on the same subject?

**Mr. Ferlo:**

I'd like to finish my three points

before people fly out of the room.

**The Chair:**

Michelle, let him finish, please.

**Michelle Madoff:**

I'm on the same subject.

**Mr. Ferlo:**

That's alright. Let me just finish my two other points briefly and then we can discuss any of them.

On the matter of the School Board pact, as you know, a number of Councilmembers expressed dismay over the approval of the labor agreement without any indication from the School Board how they plan to pay for this increase.

I would like to publicly call at this time, and ask if there are members of Council who would like to go together as a delegation to address the School Board the evening of the next meeting which is March 14th at 7:30 in the evening, not so much to get into a lengthy debate about the school pact which has already been approved, but to begin to try to open up and have some discussion with the School Board early in the year on the issue of tax reform so that both of our legislative bodies are of one mind come the end of the year when we try to reform the wage tax.

I feel strongly that all of the communiques in the past have gone unnoticed and have not been taken seriously by Dr. Milliones as well as other School Board members. I think, though, in response from their vote that they are under more pressure now and more likely to consider dialoguing with us. I will be going to the School Board to speak on the 14th at 7:30 but, quite

frankly, I would like to solicit the support of other members of Council and I was hoping that we could meet and develop a joint statement which we could all present collectively as a will of Council. So, I want to make that overture to my colleagues today.

In closing, on the issue of residency, as has been raised by the Controller previously and other members of Council at the School Board, I share the same concern about our own authorities in terms of the Housing Authority and the Urban Redevelopment Authority where we are losing thousands and thousands of dollars in income each year because the people who work at the URA and the Housing Authority do not necessarily live in the City of Pittsburgh.

I'm investigating the possibility of introducing legislation to require that these people be residents of the City and pay the wage tax and hopefully own property in the City and pay their fair share. I think it's outrageous that these people who are working in the Authority do not live in the City not only because of loss of revenues but we have major people, suburbanites, making major policy decisions on our lives and they don't even live in the City or have a stake in what the quality of life should be in the City of Pittsburgh.

I would like to make a motion to ask Council to join with me in requesting information from these two authorities as to where their employees specifically live. That's a formal motion.

**Michelle Madoff:**

Madam President, there were three items and I want to comment on —

**The Chair:**

Wait a minute. We have a motion



before us.

**Mr. Ferlo:**

The motion is, as you know, members of Council, each year we receive a listing of people who work in the Authorities with their salary level. Unfortunately, it does not tell me, and I'm trying to determine how much money we lose, where these individuals live. I looked up some of them in the phone book; it's clear that some of the higher paid administrators live in North Versailles and North Huntingdon and Washington, PA and everywhere else.

My motion is to communicate a letter to the two Authorities, the URA and the Housing Authority, and specifically ask for a listing of where these individuals live. I'm not talking about people's home addresses; I don't care to know that. I just want to know who lives in the City and who lives outside the City. I don't think that's in any way infringing upon their rights.

**The Chair:**

If they have a home address in the City, I don't know why they don't live there.

**Mr. Ferlo:**

We don't know where they live; that's my point. The information that comes to us only lists their name, their title, their position of employment and what their salary is. What I would like to know is their name, their salary, their position, but also, are they a City resident or non-resident. I don't care to know their specific home address; I'm only trying to determine who actually lives in the City and are we collecting a wage tax off of them, and who doesn't.

**Mr. Coyne:**

I second the motion.

**WHICH MOTION PREVAILED.**

**The Chair:**

Alright then, send those letters to the URA and Housing and ask for that information.

**Mr. Ferlo:**

Thank you, Madam President.

**Michelle Madoff:**

Madam President, unfortunately, I have to go back to the first motion. We got on three subjects; I just wanted to take them one at a time.

On the first subject which was having a memorial for Martin Luther King, may I point out in your committee, in your negotiations, that some of the people who are friends of mine are serving on your committee, very prominent people. One of the things that has been pointed out to me by architects is that we have the veterans' memorial in a place where nobody can get near it. Cars whiz by. If you see it from my house it's beautiful, but you can't get to it, use it, hold meetings under it, and enjoy it. And I think that's one of the things you want to be concerned about; when you do have a memorial that isn't hidden somewhere. And I think that the veterans' one is really a hidden memorial and I don't think that's what you want to have when you come out of it.

With reference to going to testify before the School Board, anybody is free to go and do their thing before the School Board. But you do know that we all got packets today from the School Board explaining that, as Sophie Masloff

pointed out, the people who lived out of the City were grandfathered; anybody knew that's hired since a certain date must be City residents. And I figured out that the total possible revenue to the City would be about \$1 million, just about what we lost on one little contract because we don't clean our own house, and that was through Mr. McDermott and Construction and Engineering on Phase II of Grant Street. So we have to clean our own house first of all.

And with reference to getting information on any authority, I've never had any problems by making a request, saying, "Could you please tell me where the people live?". And they'll tell you.

**Mr. Ferlo:**

Well we just voted.

**Michelle Madoff:**

You don't need it; just go ask.

**Mr. Lyons:**

Madam President and Council, the School Board has taken a very hard line in meeting with City Council and certainly what Councilman Ferlo has proposed, how would it be accepted if we still couldn't enter any dialogue with the School Board members in regards to the future of our tax problems? Certainly I feel that somewhere we must come together. Some are saying that we're violating the Sunshine rule if we meet behind closed doors; the School Board is saying that they do not have to meet with us. And an unreliable source has said now for the School Board to overcome their \$20 million projected indebtedness that they are going to float bonds for it. So certainly, if we go there, they still don't have to favor us in any way. This is the only thing that I have fear of and I think it's two branches

of people that represent the community that should sit down and thrash the differences out.

**Mr. Ferlo:**

In response to Councilman Lyons, I agree with him and it would be outrageous if the School Board, in order to balance a budget, floats a bond. I mean, if that happens, they should be impeached.

I'm very disappointed in Dr. Milliones' comments. If the Post Gazette accurately listed his comments, and to quote him, "We'd be glad to meet in private; I don't want to participate in the City Council Circus." I'm very disappointed in that comment because I think all of us have a sincere effort to try to deal creatively with tax reform and we don't need to talk about it here but it's clear that we've lost tremendous amounts of people in our City. On one hand, we are working overtime on the issue of tax reform along with the Mayor and the Administration; and on the other hand, that reform will be wiped out with a regressive and significant tax increase on property come the end of the year. I think it's outrageous that Dr. Milliones and other School Board members, if they agree, frankly should be voted out of office, for them to say that they cannot meet with us and they are only willing to meet with us in private when the School Solicitor himself has made it clear that no private meeting is legal and, frankly, whether it's legal or not its not desirable. This is the public's business and I think for too long the School Board has acted like a sacred cow and I think we should begin to question their activities

And I was there at the board meeting in the afternoon a couple weeks ago when they voted on the wage package; there was not one sentence,

there was not one comment from any of those School Board members debating or dialoguing, agreeing or disagreeing. It was yes, yes, yes, yes, yes. Not one discussion. It was basically, other than the fact that it was a public meeting, they don't have cablecast, which I think they should investigate so people can at least watch what's going on at the School Board. But it's a City bureaucracy and a budget that at least equals that of the City of Pittsburgh.

And what I'm proposing, colleagues, is that we physically go to the next School Board meeting on the 14th and deliver a joint message on the need to begin to meet and develop a planning process for tax reform. And rather than continually sending letters that go unheeded, I think we have the possibility to impress upon them, especially since some of them are up for re-election, the need to sit down and meet with Council, the with Administration, with the Controller, and with the School Board together. And I think if we go there in person and deliver that message, I think we will have more weight and more seriousness and I once again call on other colleagues to join me in developing a joint statement.

**Mr. Wagner:**

Madam President and members of Council, if I may comment. All of you are aware that I have sent three letters to the School Board, going back to October of last year, requesting a joint meeting. I think it's important that we do not get into a confrontational position as to how the School Board operates. I have tried to stay away from that and I have tried to simply address the issue of a meeting and the need for a meeting and to talk about common issues and problems that both independent elected bodies face. I think there's great merit in that happening, not only with the

Council and the School Board but also the Mayor, also the Controller, also Superintendent Wallace.

I have met with many members of the School Board individually over the years and Superintendent Wallace pertaining to different issues, some financial, some not financial. And I have always felt that there can be a better way to do it collectively. However, in talking with one School Board member this morning, and I won't mention that individual's name, there appears to be a desire to meet, and I think that's very healthy and I think we have to have a common respect about what the two independent groups represent and not in any way get into their issues or them get into our issues, and just talk about common problems such as taxes.

However, what I am hoping to convey to them is that if we do meet in the future, that we define the agenda very clearly, as well as possible, and we cannot deviate from that agenda if a meeting takes place. For instance, if we want to talk about just the four percent wage tax, let's make that the issue and only that the issue. I've also suggested that I think the person that should chair the meeting should be the Mayor. And I think the Mayor should determine precisely who talks, when they talk, and I think it's very important that from a turf point of view we respect where each other are coming from because, in order for anything positive to happen here, we have to have some cooperation. However, to this point, the School Board has not cooperated in saying yes, they want to have a public meeting. And I am hopeful with some of this dialogue that we can get to that point because it can only be beneficial and helpful to both groups and the people that all of us serve. I am optimistic that something like that will happen in the future; however, if we start saying things about

each other, I don't think it will ever happen.

**Michelle Madoff:**

One quick question. Madam President, why do we only have the Minutes today from February 8th? I need those Minutes from the last couple of weeks; I've been waiting for them because I need to send them to someone on an important item and we're late.

We increased our budget so the printing could get out. We increased the staff. We went to computers so that we would not need -- We have lost some people and we would not have to increase. There are some people not doing anything. I wonder if the City Clerk could explain what is happening.

**Mr. Perry:**

We're getting them out as fast as we can, Michelle. After all, our meetings are lasting now for over two hours.

**Michelle Madoff:**

I'm not going to argue with you; I just want to know what happened.

**Mr. Perry:**

We're getting them out as fast as we can; there's nothing else I can do to get them out quicker.

**Michelle Madoff:**

Do you have enough people to do them?

**Mr. Perry:**

I can't put too many people on one job; I just can't do it on the Minutes. I just can't do that. I have the staff to do

it but it's just not feasible to do it.

**Michelle Madoff:**

Do you understand the problem? Today is the 29th of February and I'm getting February 8th's Minutes.

**Mr. DePasquale:**

Point of order, Madam Chairman. I thought we were on the School Board.

**Michelle Madoff:**

When did we finish it? I've had my hand up for a half hour.

**The Chair:**

I'm sorry; I apologize.

**Mr. DePasquale:**

I don't want to beat it to death but I just want to elaborate on what Councilman Wagner said, and I agree with him. Obviously, I'd like to see the School Board meet with City Council and, at the same time, I don't like the idea of anybody living in the City of Pittsburgh and being deprived of a job when someone from out of the City gets that job. In other words, anyone who has a job in the City, I believe should live in the City.

But the problem we face is the autonomy that the School Board has, and obviously, they have a Board and the Board meets and the Board sets the rules and the regulations. I'm not advocating a change in the School Board; I'm entirely satisfied with that School Board down there myself. But at the same time, the only way that it's going to change is through the School Board members. All the other stuff isn't going to do one darn bit of good unless their change their rules down there and, apparently, this

School Board is not going to change those rules. They're going to allow people to come in from out of the City to work and they're also going to continue to levy taxes. They're going to have that right regardless of whether there's a new Board or not. All we can do is go down there and cause a little furor and a little havoc and it's not going to serve any point whatsoever. But I think a meeting between Council and the School Board will serve a very good point if they would just allow that meeting.

**The Chair:**

I think a meeting is a wonderful idea but they haven't agreed to it and I don't know how we can force them to.

**Mr. Woods:**

Mr. Ferlo made a motion and I believe someone seconded it on getting a list on where employees -- Is that all authorities?

**Mr. Ferlo:**

Yes. We voted on that.

**The Chair:**

Just a minute. We only said URA and Housing.

**Mr. Ferlo:**

I wasn't aware of other authorities that have payrolls but I'll stand corrected if you know, Mr. Woods.

**Mr. Woods:**

They're not big payrolls but the Stadium, the Water and Sewer --

**Mr. Ferlo:**

I apologize.

**The Chair:**

We do have a list. I have a list from the Housing Authority of all their employees and where they live.

**Mr. Ferlo:**

We don't know where they live. The list only states their name, their title, their job position and what they're paid. It doesn't list whether or not they're a City or non-City resident.

**The Chair:**

And so you want all the authorities?

**Mr. Ferlo:**

I would like it to be all the authorities, and I stand corrected. And I thank Mr. Woods for bringing that to my attention.

**The Chair presents**

No. 301 Resolution that the appointment by the Mayor of Robert C. Watson of 3459 Shadeland Avenue, Pittsburgh, Pennsylvania 15212, be and the same is hereby approved and confirmed as a member of the City Court for a term to expire March, 1992.

Which was read.

**Mr. Ferlo:**

Point of information. This is the first time we voted on something like this. Is it not the case that we at least receive a resume and get to interview these people?

**The Chair:**

If you so wish.

**Mr. Ferlo:**

I would like to at least see a resume of this gentleman, although I happen to know him.

**The Chair:**

Do you want to make a motion to have him come before us this Wednesday?

**Mr. Woods:**

Madam President, I move to bring him in this Wednesday.

**Mr. Ferlo** seconded the motion.

**Mr. Ferlo:**

With a resume.

WHICH MOTION PREVAILED.

**Mr. Woods** moved to approve the Minutes of Monday, February 8, 1988.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, March 7, 1988

No. 10

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, March 7, 1988

#### PRESENT:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

#### ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Wagner:

Madam President and members of Council, I'd like to ask Mike Mayhak to please step forward. He is the Executive Director of the West End-Elliott Joint Project and is involved in various development initiatives in that area.

##### Mr. Wagner presents

No. 335 WHEREAS, the Pennsylvania Department of Transportation (PennDot) plans to rehabilitate the West End Bridge and Circle; and

WHEREAS, a portion of the present PennDot plan calls for rehabilitating only the downstream sidewalk of the West End bridge, with the upstream sidewalk to be permanently closed; and

WHEREAS, the City of Pittsburgh and the Urban Redevelopment Authority are pursuing development projects on the North Shore, both downstream and upstream of the West End Bridge including the extension of Clemente Park and the building of the Buhl Science Center; and

WHEREAS, the West End Bridge is a critical link in the pedestrian network serving the City's residential communities, development projects and riverfront parks, with a priceless view of the City; and

WHEREAS, the structure of the

West End Bridge does not allow the roadway to be widened if one of the sidewalks is closed.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Pennsylvania Department of Transportation to retain and rehabilitate both sidewalks of the West End Bridge; and

BE IT FURTHER RESOLVED, that the Council strongly suggests that if only one sidewalk is retained that it be the upstream sidewalk.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Wagner:

Madam President and members of Council, prior to Mike saying a few words, I'd simply like to state that the community development organization that he represents, the West End-Elliott Joint Project, is the two closest neighborhoods on the western portion or the southern portion of the West End Bridge that would be involved here. Also involved, obviously, is the Allegheny section of the North Side and also the Manchester section of the North Side.

What is being proposed by PennDOT is to eliminate the sidewalk on the upstream or the Downtown side of the West End Bridge. One of our greatest values in the City of Pittsburgh are our vistas and our view of the City, and essentially what would happen would be that we would eliminate the sidewalk that gives us the best vista and the best view of the City of Pittsburgh.

That proposal was made in the West End neighborhood about a week and a half ago to various neighborhood representatives. It was strongly opposed by the neighborhood representatives including Mike and several others. And simply, what this resolution is doing is supporting their desire and our desire to see the sidewalk on the upstream side continue as is today when the project begins which, I believe, is next year but they're in the final stages of planning.

I'm sure Mike would like to say a few words.

Mr. Mayhak:

Madam President and members of Council, I'd just like to thank you for your support on this issue.

As you know, the proposed rehabilitation of the West End Bridge is very much going to affect our neighborhoods over there but it also affects the North Side, as Jack mentioned, and the City as a whole.

The West End Bridge is the first bridge on the Ohio River. It's a Pittsburgh bridge and we feel that if there's going to be a one-sided view, it ought to be a view of Pittsburgh. It's a unique view; it's a spectacular view. It's the only view of that nature that you have in the entire City looking straight on to the Point from down river.

Furthermore, this has the support of all the neighborhoods. Three groups spoke at PennDOT's public hearing a week and a half ago; our's, the West End-Elliott Business Associates, and the West End Citizens' Council. There is broad-based support for keeping the sidewalk on the upstream side.

The things that are mentioned in the resolution, the potential riverfront



developments, the continued pedestrian access, things of this nature, are all very important to us and we think it's good for the City.

One last thing I'd like to throw in because I know that budget considerations are a major concern to this body. This won't cost the City anything. All we're asking is that PennDOT change their plans a little bit and move the sidewalk from one side to the other. We aren't asking the City for any money for a change.

Thank you very much for your support.

**Mr. Wagner:**

Madam President, in regard to the resolution on PennDOT and the West End Bridge, could that be sent by the Clerk's Office, to the Governor's Office, PennDOT, the Director of PennDOT, Howard Yerusalim, and also the local PennDOT office, Henry Nutbrown.

**The Chair:**

Yes, sir; it will be done.

**Mr. Wagner:**

Thank you.

**Mr. Pollock presents**

No. 336 WHEREAS, the Pittsburgh Public Schools and its 15 middle schools have made a significant contribution to the high quality of life in the City of Pittsburgh; and

WHEREAS, middle level education has a special and unique function in Pittsburgh's and our nation's educational system; and

WHEREAS, early adolescents are

undergoing dramatic, physical, social, emotional, and intellectual growth, in which the habits and values established during this age period have a critical, life-long influence; and

WHEREAS, Pittsburgh's 15 middle schools have now been officially accredited by the Middle States Association; and

WHEREAS, the Greenway Middle School Teacher Center will open in August, 1988 as a special staff development center for middle school educators.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares the week of March 13-19, 1988 as "National Middle Level Education Week" in Pittsburgh so that the public will be afforded special opportunities to become aware of their local middle schools and the ways in which they respond to the unique and important needs of the early adolescent child.

**Mr. Pollock** moved to adopt the resolution.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

With me to receive this resolution are Dr. Lloyd Briscoe who is the Principal of Greenway Middle School, Dr. Richard Gutkind who is the Director of Greenway Teacher Center, and Courteney Kovacs and Brian Patterson.

**Dr. Gutkind:**

I'd like to thank City Council for passing this resolution and also Councilman Pollock for introducing it

into Council. I'd like to thank all of you on behalf of our Superintendent, Richard C. Wallace, and our boss, the Associate Superintendent, Mrs. Louise Brennan and the President of our School Board, Dr. Jake Milliones.

We feel that middle schools in Pittsburgh are the vital, vital link in the education of our children. They are the bridge between those elementary years and the secondary years and you're going to be hearing some big things about middle schools in the coming years. You're probably aware that five years ago the Schenley High School Teacher Center opened as a combination high school for students in that area and also as a special staffed development center for all the high school teachers in the City. It's a program that brought national acclaim to Pittsburgh and to the Pittsburgh Public Schools and has been most successful.

The Brookline Elementary Center opened three years ago and now, we're saving the best for last, the Greenway Middle School Teacher Center is going to open in August. We're in the process now of preparing the program, selecting staff and so on. So, we're very proud that Pittsburgh was able to honor us today, to recognize our end of this deal.

I'd like to invite all the City Councilmembers as our guests to come and become part of Greenway in the future. We think that we're going to have a model program that's going to be very exciting and that the people of the West End area are going to be very, very proud of.

Over the course of the next five years we will be retraining every single middle school teacher in the City of Pittsburgh and also trying to present to them what we consider a model middle school program for our City. So, we're

very, very proud of some of the changes coming to middle schools.

Our middle schools program, in general, was accredited this year by the Middle States Accreditation Association and this resolution, I will be sending it on to the National Association of Secondary School Principals and also the National Middle School Association. They're sponsoring this week nationally and I want them all to know that the City of Pittsburgh is participating and we're participating very proudly. So, thank you.

I'd like to introduce to you one of our students, Courteney Kovacs, who also would like to thank Council.

**Courteney Kovacs:**

Thank you. I would just like to again say thank you for making what it's going to become. I think Greenway is an excellent school for the Teacher Center because it has the good facilities to make it become one and the children will learn a lot more by it being this way. Thank you.

**Mr. Pollock:**

Thank you. Dr. Gutkind, you mentioned the Schenley Teachers' Center which was founded to train Pittsburgh's teachers, but in the five years its been there it has become so successful that it is now doing contract work with other school districts in Western Pennsylvania and I'm sure it will not be too long before Greenway will be doing the same thing with other districts in the area. Thank you very much for coming.

**Mr. Coyne presented**

No. 302 Resolution amending Ordinance No. 116, approved April 7, 1971, by authorizing the issuance of a

warrant in favor of Louise R. Brown, Director, Department of Parks and Recreation, in the amount of \$300,000.00 for the purpose of increasing the imprest fund at the Conservatory-Aviary to a total of \$500.00, chargeable to and payable from the Aviary Trust Fund (ATF), in the Department of Parks and Recreation. The money shall be used for the purpose of payment of collect air freight charges for the shipment of birds consigned to the Conservatory-Aviary and for the purpose of making change at the concession stand and at the admission ticket booth.

Also,

No. 303 Resolution transferring \$50,689.30 from the Special Summer Food Service Program Trust Fund (SSFSF) to the Special Parks Programs Trust Fund (SPPTF), in the Department of Parks and Recreation. These funds represent expenditures from the Special Parks Programs Trust Fund in 1987 in conjunction with the Department of Parks and Recreation Summer Lunch Program as reimbursed by the Department of Education of the State of Pennsylvania.

Also,

No. 304 Resolution transferring \$50,000.00 from Code Account 1801, Miscellaneous Services, to the Swimming Pool Maintenance Trust Fund, in the Department of Parks and Recreation. This transfer is requested to establish a fund for the operation and maintenance of City pools.

Which were severally read and referred to the Committee on Finance.

Also,

No. 305 Resolution providing for the establishment of the Department of

Parks and Recreation Regional Swimming Pool Imprest Fund, for the purpose of making change at the regional swimming pools in the amount of \$800.00, chargeable to and payable from Code Account 1801, Miscellaneous Services, Parks, Department of Parks and Recreation.

Also,

No. 306 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Michael Senko to attend the National Council on the Aging Conference, in Washington, D.C., April 13-16, 1988, at a cost not to exceed \$929.00, payable from Code Account No. 1843, Senior Citizens Program.

Which were read and referred to the Committee on Parks and Recreation.

Mr. DePasquale presented

No. 307 Resolution further amending Resolution No. 922, effective September 26, 1980, as amended by Resolution No. 881, effective August 31, 1981, entitled: "Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof," by decreasing the total project allocation by \$3,288.53 (from \$33,600.00 to \$30,311.47) chargeable to and payable from Code Account CDPR 80-09.

Also,

No. 308 Resolution further amending Resolution No. 97, effective March 2, 1984, as amended by Resolution No. 376, effective May 8, 1986, as amended by Resolution No. 151, effective March 4, 1987, entitled:

"Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$6,836.34 (from \$75,000.00 to \$68,163.66) chargeable to and payable from CDPR 83-10 - \$39,271.66 and CDEC 85-35 - \$28,892.00; total \$68,163.66.

Also,

No. 309 Resolution providing for a Contract or Contracts, or use of existing Contracts for the repair of sidewalks and other work incidental thereto in various communities operated by the Housing Authority of the City of Pittsburgh (Bedford Dwellings) at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account CDEC 87-51.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 310 Resolution prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh residency requirement for their employees. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

**Mr. Lyons presented**

No. 311 Resolution providing for an Agreement or Agreements with The Development Training Institute, Inc., of Baltimore, Maryland, to conduct a four-day workshop for Community Planners on various Economic Development Topics at

a cost not to exceed \$3,600.00, chargeable to and payable from the Department of City Planning, Administrative Account (CP 86-01).

Also,

No. 312 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for himself to attend the APA National Planning Conference, San Antonio, Texas, April 29 - May 4, 1988, at a cost not to exceed \$1,250.00, payable from Code Account No. 1103, Miscellaneous Services.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock for Michelle Madoff presented**

No. 313 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for Tom Bruecken, Edward Blair, Stanley States, Raymond Wisloski, Donna Sagmeister and himself to attend the American Water Works Association Spring Joint Meeting at the Sheraton Inn, Shenango, PA, on March 4, 1988, at a cost not to exceed \$72.00, payable from Code Account No. 1922, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 314 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for Mark Zabierek and George Jacoby to attend the Allegheny League of Municipalities Conference, April 8-10, 1988, at Seven Springs, Pennsylvania, at a cost not to exceed \$1,500.00, payable

from Code Account No. 1017, Miscellaneous Services, Mayor's Office. Permission is also requested for use of a City vehicle.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 315 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1987 to the same or to other code accounts for the year 1988. —(SPONSORED BY **MR. POLLOCK**)

Also,

No. 316 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of \$441.56 to return unexpended funds from the General Assistance Welfare Recipients Program Grant, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 317 Resolution providing for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a Work-Study program to help students integrate their educational program with work experience, and also providing clerical assistance to the Department of Personnel and Civil

Service Commission at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 318 Resolution amending Resolution No. 1088, Item I, approved December 31, 1987, which authorized the sale of property in the 20th Ward, being vacant land, located at 279 Rhode Island Avenue, designated as Block 18-H-262, to Frank George, Jr., and Rose M. George, his wife, for the sum of \$2,500.00. The reason for the above amendment is to include additional information missing from the sale.

Also,

No. 319 Resolution Repealing Resolution No. 124, Item D, approved February 25, 1987, which authorized the sale of property in the 12th Ward, being a 1 Story, Frame building, located at 323 Lincoln Avenue, designated as Block 125-A, Lot 118, to Gloria J. Germany, Etal for the sum of \$1,500.00. The reason for the above repealing resolution is that the Title Search revealed that the City does not have a marketable Title for the property, as the property was not properly taken. The property must be returned to the Assessment records to be properly re-acquired.

Also,

No. 320 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money.

Also,

No. 321 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 322 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Anne McCafferty and Walter Fortson to attend the U.S. Department of Labor's Performance Standard Conference, in Washington, D.C., March 30 - April 1, 1988, at a cost not to exceed \$1,496.25, payable from the JTPA-1 Trust Fund, federal funds. The costs for Anne McCafferty will be reimbursed to the City of Pittsburgh by the Commonwealth of Pennsylvania.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 323 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Albert Lenkner, Bureau of Fire, to attend a course entitled, "Interpersonal Dynamics in Fire Service Organizations" at the National Fire Academy, Emmitsburg, Maryland, March 20 - April 1, 1988, at a cost not to exceed \$232.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 324 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for improvements to the Three Rivers Stadium Parking Lot

and other work incidental thereto, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account PW 88-16, Three Rivers Stadium Parking Lot Improvements.

Which was read and referred to the Committee on Public Works.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 325 Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recuring and other work incidental thereto, at a cost not to exceed \$750,000.00, chargeable to and payable from Code Account PW 88-01, Citywide Resurfacing Program.

Also,

No. 326 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant at a cost not to exceed \$450,000.00, chargeable to and payable from Code Account PW 88-01, Citywide Resurfacing Program.

Also,

No. 327 Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete slab

replacement at various locations within the City of Pittsburgh at a cost not to exceed \$550,000.00, chargeable to and payable from Code Account PW 88-02, Concrete Slab Replacement Program.

Which were severally read and referred to the Committee on Public Works.

**The Chair presented**

No. 328 An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 427, Private Communications Systems, Section 427.11 by addition of subsection (c).

Also,

No. 329 Resolution providing for the transfer of the Cable Communications System Franchise Agreement of October 31, 1984 with the City of Pittsburgh, from Pittsburgh Telecommunications, Inc. to TCI of Pennsylvania, Inc.

Which were read and referred to the Committee on Finance.

**UNFINISHED BUSINESS**

**The Chair presents**

No. 301 Resolution that the appointment by the Mayor of Robert C. Watson, 3459 Shadeland Avenue, Pittsburgh, Pennsylvania 15212, be and the same is hereby approved and confirmed as a Member of the City Court for a term to expire March, 1992.

Mr. Woods moved to approve the appointment.

Mr. Lyons seconded the motion.

**Mr. Wagner:**

Discussion. Madam President, I would simply like my comments and my interview with Mr. Watson brought forward for the Record. Thank you.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. WAGNER'S REMARKS ON APPOINTEE TO BE CONSIDERED  
FOR CITY MAGISTRATE -- WEDNESDAY, 3/2/88)

Mr. Wagner:

It seems like I always have a lot of questions for people that are magistrates and other appointees but I think sometimes that is healthy because prior to voting I'd like to get an idea of what the background is and what your views are on certain things.

One very important issue in the city that I have asked previous candidates, and I'm still not pleased with it totally when it comes to Magistrate's Court, is the drug issue in the city. When people are coming in front of magistrates that have obviously been apprehended by the police on narcotics in particular. First of all, what is your background of that problem in the city? What do you think your overall position will be?

Mr. Watson:

In terms of drug cases in general, actually it's interesting you picked that particular subject.

I am currently a member of the District Attorney's Office and I am in what is termed the "General Trial Unit" however, in the General Trial Unit they have selected individuals and I was one of them which they targeted one of the many drug cases towards just so we would have some familiarity with it.

I do realize that drugs are a substantial problem in the city. Frankly, I don't know the real solution to it. I don't know whether or not if everyone should be placed in jail or ideally of course, we need to find some way to just to try and help these people overcome a problem if that's a possibility, but in terms of drug cases as they come to the Magistrate's Court, it's the policy that at this point I have been indoctrinated with that when a case comes it should be held for court so that it can ultimately be decided by the higher court level, primarily because I believe in the past, a lot of times individuals were dismissed at that level on what we call "disorderly conduct charges" and when that happens, often times



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ultimately a person will come back through the system and he can ultimately have a disorderly conduct charge against him and never really focus on that this person has a substantial drug problem. We do have means to take care of that in the higher level courts and individuals when they come through should be sent to the higher level courts, so if a person is deserved a first break, they can receive what we know as probation without verdict, but at that point they have it on their record that it was a drug related incident and not a summary offense. I do understand it's a major problem and I'm concerned with that.

Mr. Wagner:

Obviously when it relates to crime, over 50 percent, and these are legitimate figures, over 50 percent of crime, recorded crime in the City of Pittsburgh, is related to narcotics, whether it be burglaries, robberies, homicides, auto theft, etc. They are legitimate figures and so obviously that's a major problem not only in the city but in this country and there are many ways to address the problem and many ways in which our society is failing to address it, however, one very critical area of importance is the judicial system and you are at the first level in that system and to have cases thrown out of court with plea bargainings going on when it shouldn't, for narcotics people that are dealing in narcotics on our streets, that is the kind of thing that I don't want to see happen there.

So--and I have said that to anyone and everyone that has come in front of this Council, and I continually feel that has to be an item that is focused in on at all levels. So my question to you is, will you be tough according to the law under which you can be tough with people involved in narcotics?

Mr. Watson:

Yes. I believe that narcotics is a major problem and the function as a magistrate would be to--if a person violates a crime, it is his function to hold them for court and I certainly will uphold the law.

Mr. Wagner:

Good. I don't want to see cases being dismissed, and I hear from many narcotics detectives and I stay in touch with those

people as well as I can and I want to see our local court system under this city be as tough as we can be in that particular area.

Just a couple of other questions. The Chief Magistrate, Joan Melvin, I think has implemented a couple of excellent, new ideas and concepts at that level of the judicial system relating in particular to community service for people who have been convicted of various offenses and when I say community service, have them go out and pick up litter as a community service for several days or hours as a penalty. Some other items that she has provided some--I believe some innovative ideas are in the area of domestic violence which we all know is a serious problem. Will you follow suit in those areas in terms of implementing as much community service, particularly with young people as a deterrent to them in terms of them potentially not committing the same crimes in the future because they are out in the community working and helping the community in the process?

Mr. Watson:

Yes. I believe that one of the primary functions is ultimately to try and address the needs of the individual and if a person is before you--everyone's situation is different and you must look at them differently and often times that would be the best solution, especially if they are of a young age, it's a good chance that we can deter them from ultimately having a lifelong history of it.

Mr. Wagner:

So you would be an advocate of community service activities for offenders that are found guilty that come in front of you.

Mr. Watson:

Certainly again each situation would be different but that would certainly be an excellent result for an individual.

Mr. Wagner:

So you will follow suit in the areas of the Chief Magistrate.

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Mr. Watson:

Yes.

Mr. Wagner:

Thank you.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 330

Report of the Committee on Finance for March 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 148

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Finance on behalf of the City of Pittsburgh, to lease to Tri-River Marine, Inc., six hundred seventy six (676) lineal feet of wharf frontage on

the Ohio River near the foot of Main Street, for a term of five (5) years, subject to a ninety (90) day cancellation clause with year to year renewal provisions, at a rental of Eight Hundred Forty Five (845) Dollars per month, and providing for certain terms and conditions."

Which was read.

**Mr. Wagner:**

Madam President, I move to amend Bill No. 148 by changing the term of the lease from 5 years to 60 days. Also, deleting "subject to 90 day cancellation clause with year to year renewal provisions".

**Mr. Woods** seconded the motion.

**Mr. Pollock:**

Again, I bring up what I brought up before in the past that when we make amendments and there is no emergency concerning them, that we should have input from the appropriate directors and staff of the City. I mean, we've had several conversations with directors at this table and I think that they should be given the courtesy of responding to amendments unless there's an extenuating circumstance. I don't see any in this matter so I would ask that if any amendment be made to a bill that we receive input from the Administration on it out of common courtesy.

**Mr. Coyne:**

Madam President, I have to disagree with Mr. Pollock on this. I feel that there has been plenty of discussion about the proposed boat docks, or barge docks. We know how the Administration feels. We all have our own questions concerning this matter and I would have to support Mr. Wagner's amendment.

**Mr. Ferlo:**

I concur with the comments made by Councilman Coyne and the amendment of Mr. Wagner. And I don't think each time we need to have the final word from the Administration. This legislative body provides the final word.

I would like my comments brought forth for the Record on the discussion concerning the river study.

**Mr. Wagner:**

Madam President and members of Council, first of all, I'd like my comments brought forward for the Record from last week's discussion on this bill where I had a visual presentation in regard to this site.

(MR. FERLO'S AND MR. WAGNER'S  
REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S REMARKS ON BILL NO. 148, WEDNESDAY,  
3/2/88)

Mr. Ferlo:

Thank you Mr. Pollock. First of all I believe it's the Army Corps of Engineers and not the Coast Guard. I did contact them and they know nothing of this new company and there's no permits that have been granted for the mooring what will amount to be about 20 barges; that's the first thing.

I have some concerns about this and I'm still inclined to vote against it and it's not because Marvin Fein is representing the firm. I only raised his name originally in that the context in which this was first raised previously several weeks ago. In fact, very little information in writing was conveyed to Council other than a few sentences of this resolution. There was no background material presented and in fact, under questioning, Mr. Murphy gave conflicting information and left many people, including the public, with the impression that this was a marina with upwards of 100 boats, so we know now that that is not the case, but I still think there are a number of concerns or questions.

Mr. Wagner has some slides and a presentation but I wanted to ask just a few questions prior to that so we could put some more points in context.

First of all, the negotiation of these rates \$645.00, are 1982 rates compared with the other nine leases that you have presently.

Mr. Evers:

That's correct.

Mr. Ferlo:

This is 1988.

Mr. Evers:

Right.

Mr. Ferlo:

Secondly, there's more favorable status for this, now why that is I'm not sure but you're suggesting here that they get a five-year lease and also a 90-day cancellation. Everybody else has a 30-day cancellation and a one-year lease.

Mr. Evers:

Correct, except one other tenant--

Mr. Ferlo:

So that's a concern that I have also. I'm not opposed to barges on the rivers. To me, barges mean somebody is at least working out there, so I'm not opposed to barges. It's a question that the City has invested--I can't even add up the millions of dollars in major development--North Shore, Station Square--you name it around the central location of the Downtown area, we've invested millions of dollars in what will hopefully be a renaissance that will include at some point the riverfronts. And right now there is an expensive study going on that would begin to talk about use of the riverfronts in the City of Pittsburgh.

The problem that I have and I read from Marvin Fein's letter to Mr. Murphy, the last page of Mr. Fein's letter is the attorney representing the Tri-River Marine Company. The second to last paragraph says, "...that although Tri-River could continue under the month-to-month lease executed last year, it needs a long-term lease in order to provide it with the ability to enter into long-term contracts and obtain long-term commitments from national barge companies." Again, I think there is sort of a basic contradiction here. If on one hand we're saying that we would like the study to be completed and we'd like to look overall at the use of our riverfronts. My concern, at least to be fair to this company, is that if want a five-year lease, then I presume that they have a large capital investment in addition to wanting to gain these long-term contracts. And it seems as if there is a direct contradiction here.

Mr. Evers:

They do not have a large capital investment. They have some pilings that may be expensive. You're talking about a

three -foot wide strip and there's not much more that they can do.

Getting back to the long term contract, since this letter was written, they have agreed to the 90-day cancellation clause.

Mr. Ferlo:

Who has agreed?

Mr. Evers:

Tri-River Marina.

Mr. Ferlo:

Isn't Tri-River misleading national barge companies?

Mr. Evers:

They may be.

Mr. Ferlo:

I don't see how they can suggest--at any given point you're saying the City has the prerogative to terminate the contract and de facto all of those other contracts are null and void.

Mr. Evers:

That's correct. That would be their problem.

Mr. Ferlo:

This doesn't give them any security that they want anyway.

Mr. Evers:

No. It gives them more than 30 days because of the travel time.

Mr. Ferlo:

It doesn't give them the five years.



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Mr. Evers:

No.

Mr. Ferlo:

There is a basic contradiction there. I still have a problem not only with the amount of money being computed in 1982 rates, I still maintain my earlier position that--I'm not opposed to barges. There are other areas along the riverfront from where we enter the city at the point of the Ohio upstream and the Mon where there are other moorings of barges that could take place.

I strongly maintain my earlier position that the study should be completed.

Mr. Evers:

Councilman, that's your prerogative; you can do whatever you want to do.

Mr. Wagner:

Mr. Chairman, point of order, there needs to be order at this table and I think there has to be an appropriate procedure of talking.

Mr. Ferlo:

I wasn't done with the floor. I want to comment that \$800.00 a month is \$30.00 per day and if they park 20 barges, it's \$1.50 a day which is cheaper than parking a car.

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Mr. Evers:

They are charging \$15.00 to \$20.00.

Mr. Ferlo:

It's easier to park a barge cheaper in Downtown, Pittsburgh than it's a car. Park the barges in the garage.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

(BEGINNING -- MR. WAGNER'S REMARKS ON BILL NO. 148 -- WEDNESDAY, 3/2/88)

Mr. Wagner:

Mr. Chairman and members of Council, in regard to this bill, BILL NO. 148, I have some slides of the area that I'd like to show and the reason why I oppose this bill, but first of all I would like to discuss this briefly.

I've talked with Mr. Evers about it. Some of the directors that I think should have input and I would like to get their opinion on the bill.

But in essence, what the bill is doing, is to change lease conditions for leasing waterfront wharf areas in the city and in particular this area, from a month-to-month lease that we presently have to a five year lease under different conditions; insurance conditions, the cost of the contract, et cetera. And we all are well aware of the fact we do have a riverfront study that I believe costs in excess of \$100,000.00 presently going on over the last two years here in the City of Pittsburgh, to determine proper use of our riverfront and access to our riverfront, particularly access by the public. In addition to that, since last Wednesday when this bill was held, we have received some correspondence from Baskin Flaherty, Elliott and Manino and the letter written by Mr. Fein, as we have discussed earlier, in support of this legislation.

I'd like to refer to that briefly because I think it's important to talk about the particulars of this legislation and what everyone is saying the advantages are versus the disadvantages. And in the letter written to me and I suspect everyone received a copy of it, several major points are listed and I'd like to talk about those briefly.

Number One, the business will provide a service not presently available in Pittsburgh to out-of-state barge operators and at the same time help clean up the riverbank by providing a safe secure mooring area for the operators.

I would disagree with that and I respect Mr. Fein and I believe he's an excellent lawyer but that point I don't agree

with. There are many areas in Pittsburgh where barge docking can go on. There are 35 miles of riverfront in Pittsburgh and if it's not necessarily in Pittsburgh it can be in the Emsworth Pool which is above the Emsworth Dam anywhere from here to the lock up at the Allegheny River or Mon River. There are many, many areas for docking barges, and as you will see from the slides we don't think the right place is across from the Point.

Number Two, he indicates that the site has been used for mooring the previous lessee's own barges since at least 1965. I can't disagree with that; that's accurate, however, it doesn't necessarily mean that that's the best use of this parcel of property. What's the best use for the residents of the City of Pittsburgh and not necessarily this company?

Number Three, there are two other sites in the same area used by barge operators to moor their own barges one of which is far more visible from the Stadium and Station Square.

Mr. Evers, I would like you or the appropriate director, to find out where the locations are. I don't know if he's talking about something right adjacent to this area or not. If that is the case, I think we should be taking a look at those locations also and certainly if there are other locations I'd like to know whether or not we're receiving monies for it. So wherever Mr. Fein is referring to, please determine where those barge locations are. I know of two that are sunk over by the Southside riverfront park that should not be in the river and hopefully we can get them out. That does not support the reason to lease this property for this price at that location.

Number Four, formally this site was also used as junkyard since it was unsecured but upon receiving a month-to-month lease, Tri-River cleaned up the City's property at a cost of \$15,000.

By the slides you will see the access to the river really hasn't been cleaned up. There is a salvage yard but not on Main Street and Main Street actually goes to the river here. We have a public street that takes us to the river and it's unique and it's a real asset in this location. So I don't necessarily agree with that. There's a salvage yard there but it's adjacent to Main Street.

Number Five, Tri-River is paying a monthly rental of \$845.00 for a strip of land that is only three feet wide and has no other use at the present time. Whereas the former lease only paid rental of \$150.00 per month and Tri-River carries ten times the insurance coverage of the former leasee. I'm pleased to see there's some differences there, however, just saying only three feet wide, the riverfront and the value of the riverfront can't be determined simply by a price of \$15.00 per foot, per year; that's a breakdown to \$1.23 per foot, per month and that is such a ridiculously low price it's incredible and if we were to utilize this property for public marina owned or operated by the City or to have someone operate it for us, we could get at least 10 or 20 times the return on our investment with the road way going to the river.

In addition to that, there is a great need in our city to have public marinas. Something that I have been stressing for years and I'm hoping this study will support that position.

So true, there are increases in insurance coverage but three feet wide--even if it's a half inch, it is still access at the riverfront and that is a critical item because it's a value to the City and to the taxpayers.

The long term lease will allow this new business to attract more national barge customers. That's the last thing we want at our Point in the city is the docking of barges. There are so many other areas that barges can be docked; we don't want to do it at our Point area. Let's beautify that area; that's the jewel of Pittsburgh and why do we want more barges? The interpretation of that item tells me that with this lease, there are going to be far more barges at our Point in the future than there have been in the past.

Number Seven, perhaps most important of all the City's long-term planning standpoint, the lease can be cancelled on 90-day notice if the City determines that this strip of land can be put to better use. Well, it can be put to better use and let's determine that right up front and obviously the consultant study is going to support that. So why do we want to lock into a five-year lease even with a cancellation clause? Most leases

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have a cancellation clause but you know that once you sign a five-year lease, you reduce the potential of someone else coming in and utilizing the property for some other use such as a public marina or the public.

They are the seven points mentioned in Mr. Fein's letter. As I said, I respect his position, he's representing the client, but I don't think that's the best interest of the City of Pittsburgh.

Now I'd like to turn on some slides here and I'd like the lights to be turned off for one moment and I have about eight slides.

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### SLIDE SHOW PRESENTATION

Mr. Wagner:

These slides were taken from the West End Bridge and you are looking at a slide from the West End Bridge where the boats are presently docked along the mouth or western side of the Ohio River. You are looking at one of the best views of the City of Pittsburgh from this location. The only better view truly looking at the Point is probably from the West End Overlook which is just in back of this site but up higher, but as you can see, this is prime real estate in the City of Pittsburgh.

There's another shot of it and the next two slides bring out probably the most significant part of this parcel of property. All along the south and western portion of the Monongahela River and the Ohio River, there are railroad tracks. Therefore, we do not have access to the riverfront and that is a problem in terms of use of the river in that whole corridor from McKees Rocks, and I want to point it out over here on the map while I'm talking and Jerry is going to point it out (indicating). From McKees Rocks all the way to Southside, approximately five miles of riverfront there are railroad tracks along the entire river. There are only two locations where there is access to the riverfront. That one location is Station Square for the Gateway Clipper with an underpass under the railroad tracks, and this location. They are the only two locations where you can get to the riverfront, where the public can get to the riverfront.

Now the next location further south on the river is at Southside Riverfront Park. A park that costs us millions of dollars to develop and to gain access to the riverfront, but that truly isn't even a safe access to the river because we have to cross the railroad tracks. Here we go under the railroad tracks with an underpass and that's how the people get to these barges and this docking facility.

Now another slide to illustrate and you can't see well because of the lights in the room, that's looking west towards McKees Rocks. Again, railroad tracks all along the riverfront. You can't get to the riverfront.

Now there's a slide looking again at the location and in the background you can see a salvage yard which you'll see an underpass. It isn't brought out clearly here in this slide but there is access to the riverfront there. It's to the right of the boats. There's a passage area actually where you can drive a vehicle under or a small pickup truck.

Now there it is. Now this slide is not a great slide because of the light in the room and I'd like to--could we turn all the lights off for a second since we're looking at the slides with a camera, because if there's light in the room you can't see the slide well.

Michelle Madoff:

Are those coal barges, Mr. Wagner?

Mr. Wagner:

They are barges that are covered and are probably petroleum or something else inside of them.

Now that is Main Street; all of you know Main Street in West End. Well, Main Street in West End is interrupted by the West End Circle. Well, this is the continuation of Main Street and Main Street goes straight to the river. That's a public street right there and the area to the right is a salvage yard and I believe it's called the Taglio Salvage Yard to the right, but as you see, there's a roadway to the right there that leads onto Main Street; it's a public access.



In addition, I hope you can see with this slide in the front lower portion of the slide is a stairwell from Carson Street down to Main Street. Now Main Street is not a finished road as you can see; it's cinders and it needs to be paved but it's about 300 feet of roadway and that 300 feet of roadway takes you right to the river. It is the only way you can get to the river with public access from McKees Rocks to Southside Riverfront Park on the south or western bank of the rivers. The other location is at Station Square but obviously Gateway Clipper, that's a private access. The public cannot take a boat and go to the river there and really we only have a couple areas in the entire City of Pittsburgh where we can gain access.

Now the last slide is nothing more than just another view of the City of Pittsburgh from the West End Bridge, which incidently is going to be revamped in the near future. We're going to put a lot of public monies into the West End Circle area and the West End Bridge. It's going to be a multi-million dollar contract beginning next year that it's going to enhance this area.

Mr. Wagner:

Now that's the end of the slides, but I thought it was critical to show everyone the value of this property. And when I say the value of the property, I mean that in the City of Pittsburgh the jewel of Pittsburgh is our rivers. The reason why we're all here and the reason why the settlers originally came here was our rivers. Over the years we've created some problems with access to the rivers by giving the railroads property along the riverbanks and also by building highways along our riverfronts.

What we're suggesting to do with this legislation is continue to reduce the potential for the public to have access to our rivers. Now if this city is going to move forward economically, we certainly have to better utilize our riverfronts and we have a road that the taxpayers have paid for to get to the river here and I believe the public has a greater right to this area than us issuing a five-year lease to a barge company, and I don't believe esthetically, financially, morally, any way you look at it, it's in the best interests of the City of Pittsburgh to lease this property for barge use. I think the City should continue to lease on a month-to-month basis to this company and we should aggressively move forward to turn this area into a public marina where we can put two to three hundred boat dock facilities and in the process of doing it, probably have a return ten to twenty times greater financially to the City of Pittsburgh, and the process will be utilizing our rivers, we'll be gaining more money and I think we'll be beautifying the rivers. I don't know how many people have been up to Fox Chapel Marina and anyone that's been to Fox Chapel Marina, you look at that marina and you say to yourself, "why don't we have this in the city"--here's a great location to do it with access to the riverfront. Down river from the Point, on the south side of the river directly accessible to the West End, I can visualize people walking over and getting on their boat or getting in their boat driving to Three Rivers for a baseball or a football game, going to Station Square for dinner, coming to Downtown area, going to the Convention Center, going to Herr's Island. We are developing our riverfronts with Herr's Island, with the Stadium, with Pittsburgh Technology Center, with hopefully riverside in the future. The Downtown area, the Convention Center expansion is going to have access to the riverfront. It only seems sensible to me that we utilize a

location like this for that purpose. So I'm asking my colleagues that between now and Monday take a closer look at this legislation because we're giving the shop away with a five-year lease. Now, that in any way does not say anything derogatory with Mr. Evers up here, I believe he's acting in the best interests of the City in that we presently have a lease that is much less in value for a barge company and I believe everyone is acting in what they consider to be the best interests of the City by increasing the value of the lease in the future. My point is and the position I'm taking is that we should be totally rethinking the use of this area from barges to pleasure boats and permitting public access to the riverfront and hopefully all of you will support it.

I'd like-- prior to the end of this discussion, to ask Director Lurcott what the status of the consultant study is and whether or not he feels a better use of this property would be for pleasure boats or public access to the riverfront.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

**Mr. Wagner:**

In regard to Councilman Pollock's comment, I wanted to bring Director Lurcott to the table last week but he chose not to have him come to the table and this is precisely the reason why I wanted him to come to the table, to get his opinion. I have spoken with him privately and he has indicated that this parcel of property is a very valuable piece of property.

In addition to that, I'd like to say that even if Director Lurcott did not agree, I don't think that should necessarily be the decision of Council. I think Council has to stand on his own two feet when it comes to certain amendments like this and if Council in and of itself feels that its the proper thing to do, it should do it.

What this amendment does is keep this company operating at this location. They are presently operating on a 30 day lease, a month to month lease. This is actually extending the lease and making it a 60 day lease. It's not making it a five year lease and the reason behind it is that a 60 day lease is more practical in terms of the consultant study that is being performed by the Planning Department which is anticipated to be completed within 60 days. And that consultant study is to focus in on riverfront use in the City and this is precisely what this location is.

It appears as if Council thinks favorably about the amendment; I'm very pleased to see that. It does two things; it gives us the opportunity to look for a better use at this location and it also gives the operator the opportunity to continue to operate.

**Mr. Woods:**

On the way the amendment is

prepared, I just want to say that it's following the letter of our rules. We had a lengthy discussion on this very same rule last Monday; everyone agreed that this is how it is to be done. I think Mr. Wagner is following that and I see no problem with the amendment.

**Mr. DePasquale:**

Just one note, Madam President. A couple of people came over and talked to me while the amendment was made and honestly I didn't know I was voting on an amendment or a bill or whatever. In the past, we used to tell the people who came past that rope that they were out of order and they could not come by there, and that would prevent people, the press or whoever, from coming here and talking to members while the meeting is on.

I want to apologize again for not ricking it up but I thought I was voting on the bill; I don't even know what the amendment was, to tell you the truth, because I didn't hear it while people were buzzing in my ear.

**The Chair:**

I'm opposed to this. I think the man should have 90 days to wind up his business if we ever want to cancel him and I'm opposed to the amendment.

**Mr. Pollock:**

I'm going to abstain not because I'm either for it or against it but because I think there should be input from the contracting parties. This is legislation that has to do with a contract and a contract by definition concerns two parties. You can't have a contract with one side setting the terms; both sides have to agree to the terms.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |            |
|----------------|------------|
| Mr. Coyne      | Mr. Lyons  |
| Mr. DePasquale | Mr. Wagner |
| Mr. Ferlo      | Mr. Woods  |

AYES 6                      NOES 1

(MRS. MASLOFF VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**The Chair:**

Is there any discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7                      NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 221

A Resolution entitled, "Resolution amending Resolution No. 880, approved November 12, 1987, effective November 19, 1987, entitled: 'The issuance of a warrant in favor of Western Pennsylvania Equipment Corporation, in the amount of \$2,342.00 (Two Thousand Three Hundred Forty-Two Dollars and no/100) in payment for the purchase of steel shelving for concessions area, storage of inventory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof,' by changing the wording."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 222

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Dennis Berecky, 303 Lafayette Street, Pittsburgh, PA 15214, in the amount of \$3,600.00 in payment for the use of certain properties located at 2113 Perrysville Avenue, Pittsburgh, PA 15214, formerly known as the Perry South Senior Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 223

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Agriculture, in the amount of \$1,240.00 in payment for the testing of 30 employees for certification as commercial applicators furnished for the benefit of the City of Pittsburgh without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 224

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$768.44 in payment for utility costs for the Sheraden Senior Citizen Center furnished for the benefit of the City without the previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 232

A Resolution entitled, "Resolution transferring the aggregate amount of \$179,000.00 from various Code Accounts to Code Account 42-1 Index Code (004218), Reserve for Unsettled Wages and Labor Contracts." —(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

Discussion. Obviously, I think this is a great bill since I submitted it. But I think we've talked the issue of travel to death so far before Council since arriving here in January. I'll try one last shot.

What I'm attempting to do here is not to suggest that employees do not have the right nor would they benefit from out of town travel. What I'm only suggesting here is that we have a responsibility to provide oversight on out of town travel which I think has grown excessive and is, in fact, uncontrolled.

I'm suggesting in this bill that we put a cap on it in the amount of the \$179,000. I've indicated earlier that in travel in 1980 this Council allowed about \$87,000 and in 1987 it grew to \$360,000. I'm suggesting that it's far too much money. The priorities should be elsewhere and I think we need to direct the Administration regarding the amount of money. So, I wish that Council would reconsider its opposition.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

AYES 1

NOES 7

VOTING NO:

Mr. Coyne

Mr. Wagner

Mr. DePasquale

Mr. Woods

Mr. Lyons

Mrs. Masloff

Mr. Pollock

(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 238

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morris Knowles and Associates, Inc., to cover additional printing costs."

Which was read.

Also,

Bill No. 248

A Resolution entitled, "Resolution providing for the issuance of a \$810.00 warrant in favor of William and Mary Ann Crawford in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 249

A Resolution entitled, "Resolution providing for the issuance of a \$1,041.28 warrant in favor of Linda D. Williams in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 250

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the administration of the City's Workers' Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed Six Hundred Thousand Dollars (\$600,000.00), chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Index Code 004408, Department of Finance."

Which was read.

Mr. Coyne:

Madam President, I have a question on Bill 250 concerning the Workers' Compensation Program. Has it been resolved that the State has ordered the City to do this or is the City doing it on his own? It seems to me that there was some confusion on that last week when we discussed it and I'm not sure if Council has received an answer.

Mr. Perry:

It hasn't received an answer.

Mr. Ferlo:

I would like to express concern and opposition to Bill No. 250 for a number of reasons. First of all, in response to Councilman Coyne's question which was directed to Mr. Turner, the Finance Director, he did send some information to Council and he made a comment in the letter to Council quoting from one sentence from, I believe, a 1979 letter from the State Bureau. I know I explicitly asked for a copy of the specific letter from the State; I assume, since no specific letter was supplied to Council, and as well, a discussion that I had with Director Cook from Harrisburg who is in charge of the program statewide who indicated to me that there is no formal indication by the State that the City must go into contract with an external manager to handle the comp fund, that that's not the case.

The problem that I have is, this is \$600,000 and I am still of the belief that this could be done in-house as it has been done in the past and I have yet to see any information in detail explaining why it can't be done in-house and what were the problems originally with the program when the benefits were paid in-house.

In addition, assuming this bill will go through, however, against my opposition, I'm still questioning the value of increasing the amount by some \$200,000 from the last fiscal year. Director Turner's indication to me by phone was that \$200,000 additional monies were needed so that the contract can be beefed up in order to do investigative and surveillance work. I know that the Post Gazette supposedly is coming out with a major expose on the issue of worker abuse of the system, but I still question how many people are supposedly abusing the system. I think the overwhelming majority of people are in need legitimately of compensation and



deserve to have their claims paid on time and not be litigated to death by either Baskin, Flaherty, or the firm Fred S. James.

I think there is a delicate balance that we have to work on there and I'm still opposed to jobbing it out. And if I'm not successful in blocking this, I would hope that in the request for a proposal going out, there's a clear policy that the Administration conveys to the company bidding on this work, setting up a specific policy regarding what is good behavior for investigation and surveillance versus what is bad behavior, because I don't think people should be under attack who are legitimately in need of compensation. And I fear a situation that will develop whereby people are harassed and intimidated and litigated to death and I raise again my concern about some type of a public hearing so people who are on the system can provide some input before the Administration hands out the contract.

**Mr. Woods:**

Concerning the same bill, Madam President, I would like to make a motion that Bill No. 250 be recommitted.

**Mr. Wagner** seconded the motion.

**WHICH MOTION PREVAILED.**

Also,

Bill No. 251

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Equipment for the Department of Personnel and Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 279

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Walter H. Drane Company for professional services in connection with the preparation and printing of a supplement to the Pittsburgh Code, and other related work including but not limited to the editing of existing magnetic tapes and transferring the sum of \$1,500.00 from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council, Index No. 100115 to Code Account No. 1005-3, Printing Pittsburgh Code, Index No. 100537."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

**AYES 8**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 331

Report of the Committee on Public Works for March 2, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 258

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the renovation or repair of concrete streets, various areas throughout the City."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 332

Report of the Committee on Planning, Housing and Development Works for March 2, 1988 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 15

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing: From "R4" Multiple-Family Residence and "M3" Light Industrial Districts to "R2-T" Townhouse Residence; and "M2" Limited Industrial Districts certain property generally bounded by CALIFORNIA AVENUE; MARVISTA STREET; UNIONDALE CEMETERY; and BRIGHTON ROAD, 21st and 25th Wards." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 194

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$340,000.00 of Giant Eagle Urban Development Action Grant repayment funds for the Streetface Program."

Which was read.

**Mr. Ferlo:**

On Bill No. 194, I'd like to just

restate very quickly a compromise that was worked out and that's the reason why I'm switching my vote in support of the UDAG repayment funds being spent on Streetface, and I think it's important to state it for the public record, and that is, after lengthy discussion with Councilman Otis Lyons, myself and other citizens from the West End, the URA agreed to the following: one is that the Director would come back to City Council with legislation earmarking the sum of \$200,000 from the Giant Eagle UDAG repayment funds in order to support neighborhood based economic development projects in areas that were adversely affected by the closing of Giant Eagle supermarkets.

Secondly, the URA would assign either a consultant or a staff to work with the West Side Community Development Corporation in their effort to develop the Plaza.

Thirdly, that Mr. Lyons would meet with Director Lurcott from Planning to see if there cannot be an emergency appropriation to the West Side Community Development Group in order to help them secure the property that is now in jeopardy of being lost, specifically to help develop the business plan.

Fourth, is an overall concern that Planning and the URA need to redefine their commitment to assist residents in the West End who are working on various economic development projects.

So, with that in mind and that compromise agreed to, I'm very much in support of the bill.

**Mr. Lyons:**

On Bill 194, I have already contacted Director Lurcott from City Planning and he's very interested in

helping the West End group, the Westgate Developers, in this. We took all the shadows and everything away from the bill as it is and I ask for the passage of Bill 194.

Also,

Bill No. 240

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the Administration of City Programs and projects and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

On Bill No. 240, I had offered an amendment regarding the residency of employees at the Urban Redevelopment Authority. I had attempted to submit an amendment which was defeated because I'm concerned that people who work in the authorities live and pay taxes in the City of Pittsburgh. That was defeated. The Director said he would voluntarily raise for the Board's consideration at the Authority, a residency requirement. I have before you a bill submitted today that would require all authorities to hire City of Pittsburgh residents. So, I will reconsider and support Bill No. 240.

**Mr. Wagner:**

Madam President, in regard to the same bill, I just want to commend Councilman Ferlo and Councilman Lyons and Mr. Donahoe for having that post agenda meeting last week and working out an agreement that will help the people out that requested help.

Also,

Bill No. 241

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of four (4) single family units to be constructed in the 26th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 242

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of Block 45M, Lots 70, 71, 74, 75 80, 161, 162, 163 and 164 in the 26th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bennett Elderly Housing, Inc. for the sale of Parcel 1 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (APARTMENT BUILDING FOR THE ELDERLY)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 333

Report of the Committee on Parks and Recreation for March 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 225

A Resolution entitled, "Resolution amending Resolution No. 75, approved February 2, 1987, effective February 9, 1987, entitled: 'Providing for an Agreement or Agreements with the American Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1987 and providing

for the payment of the cost,' by changing the name of the organization the Agreement or Agreements will be made with and changing the year the services will be rendered in." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Pollock:**

Madam President, on Bill 225, when I was reviewing the bills I did not pick up on this. There's a slight typo and obviously I don't have the correction in writing to make amendment.

I make a motion to waive the rules so that we can amend Bill 225 to correct the typographical error in the name of the organization. It's indicated in the bill as The Pittsburgh American Waterways Wind Orchestra. It should be Pittsburgh's American Waterways Wind Orchestra. So, I move to waive Council rules so as to amend it orally.

I make a motion to amend Council Bill 225 to read Pittsburgh's American Waterways Wind Orchestra instead of The Pittsburgh American Waterways Wind Orchestra.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

I'd like my comments on that bill brought forward please.

**Mr. Wagner:**

I'd like my comments brought forward on Bill 225 also.

(MR. POLLOCK'S AND MR. WAGNER'S  
REMARKS ON FOLLOWING PAGES)

(BEGINNING -- MR. WAGNER'S AND MR. FERLO'S COMMENTS ON BILL NO. 225, WEDNESDAY, 3/2/88)

Mr. Wagner:

If I may make a comment in regard to this organization and the funding they get from the City. I think it's very appropriate and very necessary and it's probably the most popular boat in the world except for the Stars and Stripes and there's many more things that this organization can do in conjunction with other city organizations to promote the City of Pittsburgh, and that is going to happen in the future and if there's a need for additional money, I believe Council and the City and the Administration should find those monies. For instance, presently they pass out at all of their concerts a Pennsylvania piece of literature promoting the Commonwealth of Pennsylvania but there's nothing passed out promoting the City of Pittsburgh at their concerts and Richard Gorman and Robert Boudreau and myself met recently and the Convention and Visitors Bureau is trying to put together a piece of literature that could be given to the symphony to pass out in all cities and all countries where they are touring promoting the City for tourists and conventions and this is a fantastic organization that can do nothing but benefit the City of Pittsburgh financially in the future. So better cooperation by this organization and other organizations in the City to promote Pittsburgh can do nothing but help.

Mr. Ferlo:

I think all of these are wonderful and I'm for this particular program as well as the CLO and Ozanam and Civic Light Opera and the Symphony.

The problem that I have with this bill and about three others that are going to come up in the next few minutes have to do generally with the amount of money that we contribute to the cultural entertainment groups that exist in the Downtown area, all of which I think are important and have to be supported.

The problem that I have is that the previous City Council, much to my dismay, in approving the Benedum UDAG of \$8.5 million, gave away its right to receive the repayment funds under that UDAG grant. This morning we had the benefit of approving some \$340,000.00 in the Giant Eagle UDAG Program that came back to the City, to the URA, for economic development. What this City Council chose to do, and I can't believe they did it and I don't even know if it's legal, but what this City Council chose to do is not to receive that income back from that UDAG but rather give that repayment money to the Pittsburgh Trust for Cultural Resources which is a foundation established to specifically support the ballet, the opera, the dance ensemble and the Civic Light Opera and in fact, starting in 1990 it's my information that for 1990 to 1992 it will be \$250,000.00 each year in the UDAG repayment funds that will go to this trust so for the following two years it will be \$400,000.00 that's a little over \$1 million in a four-year period, and that there will be interest payments to that trust until the year 2062. In other words, instead of that UDAG money coming back to CD neighborhoods for low income economic development or housing and all the things that are granted--that are allowed underneath the CD budget--

The Chair:

--with all due respect, are we on the bill?

Mr. Ferlo:

Yes, it is on the bill because the reason why I'm opposed to funding this separately is that I think we have already done our fair share and in previous Council in creating the trust is allowing the UDAG repayments to go for tourists and music and symphonies and all of the various programs that I agree are important, but I think we have done that and I think it's wrong for us to take other monies now we should go better to neighborhood based organizations or other kinds of development activities at the neighborhood level. I'm saying that I'm definitely for the programs--don't get me wrong, but I think this previous Council has been very gracious in creating this trust fund that will eat up and benefit from the UDAG interest monies for the next--until 2062 and I think this program, the CLO, the Opera, etc., all of these groups should not get ULO C/D money, I think they should all partake from this fund that

Council has made available and for that reason I'm voting against this and the other bills.

Mr. Pollock:

Jimmy, I want you to know that I was in the minority of one on Grants and Donations the last two years. I have been the most ardent opponent of Grants and Donations to little leagues and football teams and veterans parades. I was eight to one on every one of them. At the same time I'm probably with the exception of a couple other members of Council, the most frequent user of the arts groups but the American Waterways is something extremely unique, not only to the City but to the world. To have the City of Pittsburgh's name and the boat is now being changed from the Point Counterpoint to Point Counterpoint II Pride of Pittsburgh so the name is going to be on the vessel, the name of the orchestra will be now be "Pittsburgh's American Waterways Wind Orchestra" and as Mr. Wagner mentioned, they are going to be promoting the City of Pittsburgh going into every port in the North American Continent as well as they are starting in late 1980's a tour of Europe and Africa and part of Asia doing the same thing. This is greatest money we could possible spend to get our name, our literature and our name on the boat for \$25,000. Cities would kill for this opportunity.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER



**Mr. Woods:**

Madam President, on many of these grants, we passed some legislation here a few years back that anything \$10,000 or over our City Controller would audit these people to see what they had done with the money and also when they applied, they had to provide us with an audit.

Could I introduce legislation to withdraw these monies or anything like that?

**Mr. Perry:**

Do you mean after you give them the money?

**Mr. Woods:**

No, after we pass this today.

**Mr. Perry:**

You can repeal it.

**Mr. Woods:**

You can repeal it with other legislation if they didn't fulfill what Council passed, I believe it was two years ago. Thank you.

Also,

Bill No. 226

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost thereof which is not to exceed Sixty Thousand (\$60,000.00) Dollars and is chargeable to and payable from Code Account 1833 (183301) Recreation,

Concerts in the Department of Parks and Recreation."

Which was read.

**Mr. Ferlo:**

On Bill 226, in the Committee Meeting last Wednesday I expressed concern and opposition on the Pittsburgh Symphony, a sum of \$60,000. The question I had was, what other governmental bodies contribute and how much. I learned this morning, after a call to their headquarters, that the State does contribute \$340,000; the County contributes \$100,000. And this proposal is for \$60,000. So, I withdraw my earlier concern.

Also,

Bill No. 227

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost thereof, which is not to exceed Twenty Thousand (\$20,000.00) Dollars and is chargeable to and payable from Code Account 1838 (183806) Recreation, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 228

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost thereof which is not to exceed Fifteen Thousand (\$15,000.00) Dollars and is chargeable to and payable from Code Account 1838 (183306) Recreation, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Mr. Ferlo:

On Bill 228, I am still concerned on what amounts, to me at least, as double-dipping on the part of the Civic Light Opera for the sum of \$15,000. We spent a little bit of time in the Finance Committee Meeting, and here earlier, discussing how we want to best use the Giant Eagle repayment funds under the UDAG grant. I raised in discussion at the last Finance Committee Meeting the fact that the Benedum C & G Tower repayment funds, the UDAG grants, instead of coming back to the City and to the URA to be used for targeted

economic or community development are given instead which I expressed concern about how that happened to be approved. But, nonetheless, it was approved and it's already a signed contract. But those funds, rather than coming back to the URA, are given to the Pittsburgh Trust For Cultural Resources which then give the money to the Ballet, to the Opera, to the Pittsburgh Dance Counsel and to the Civil Light Opera.

So, I'm voting no in opposition to this amount of money because I think clearly we've already made a commitment and are supporting these agencies elsewhere.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 229

A Resolution entitled, "Resolution

providing for an Agreement or Agreements with various independent contractors for the furnishing of professional services for the purpose of hiring taxonomists to catalogue the plant collection at Phipps Conservatory, for the benefit of the residents of the City of Pittsburgh during 1988, and providing for the payment of the costs, which are not to exceed Thirty Thousand (\$30,000.00) Dollars, and is chargeable to and payable from Code Account Phipps Conservatory Trust Fund (PCTF), Index Code 253153, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 230

A Resolution entitled, "Resolution providing for a lease or leases and/or a License Agreement or License Agreements for the use of certain City property by community non-profit organizations, in conjunction with the Senior Citizens' Program, for a nominal fee of one (\$1.00) dollar per year."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 334

Report of the Committee on Engineering and Construction for March 2, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 187

A Resolution entitled, "Resolution amending Resolution No. 933, effective October 27, 1986, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants, for Professional Engineering Services in connection with the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$185,000.00 from \$605,000.00 to \$790,000.00."

Which was read.

**Mr. Ferlo:**

I'd like my comments on Bill 187 regarding the Public Safety Building to be brought forward and I just want to note that this is a one-third increase in this amount of money. And given the track record of this department, if the Director proposes to spend \$8 million in the actual work involved to renovate the

---

Public Safety Building, we will then have a cost overrun of \$2.5 million. I just want to make that as a footnote and I hope that people can say that I was out of line a year from now and I hope that's the case.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 187, WEDNESDAY,  
3/2/88)

Mr. Ferlo:

Two questions Mr. McDermott. How much of this money has already been expended and we are committed to paying for?

Mr. McDermott:

A big portion of it. I don't know exactly--

Mr. Ferlo:

80 percent?

Mr. McDermott:

--75 percent or so.

Mr. Ferlo:

I had thought that we were going to hold this--these two companion bills until such time that there was either--there was mentioned either a hearing or a post-agenda or some kind of lengthy discussion and a presentation of this information in terms of what's planned for the building, what are all of the other possible alternatives in terms of new construction. Mr. McDermott mentioned several buildings, there were buildings mentioned at this table. I thought we had agreed to hold these bills until such time that we had that presentation.

The Chair:

Mr. McDermott is here and can comment on that.

Mr. McDermott:

I think both the two actions--if your memory is correct they were proposed at last week's meeting. The two of them are unrelated passing on this and looking at the other alternatives. And in talking with the Chairman, I had asked that the post-agenda--I think we asked for one week at last week's

meeting, that it be postponed for about three weeks because since this did go into the media, we are getting proposals in from real estate agencies and I think these should be reviewed and for us to be able to address them at the post-agenda meeting.

Mr. Ferlo:

Why couldn't we then amend this to pay what is actually encumbered and then--I mean, why proceed and do anything more if we're going to have an alternative plan? I would suggest that we amend this to pay only for what we have already incurred in terms of the cost which you say might be around 75 percent of this total.

Mr. McDermott:

In the review, my cursory review of the information that we received so far, I have not seen an acceptable building yet that has the capacity, the off street parking, et cetera, that we need as a replacement for the Public Safety Building. So in all truthfulness and fairness to you, I do not see an alternative surfacing in an existing building at this time.

Mr. Ferlo:

What about my comments about the possibility of negotiating with the County? They have additional space needs. Together we collectively rent a lot of private property in the Downtown area and I thought-- part of my concern was to negotiate with the County to see whether or not there is a possibility for some mutual project.

Mr. McDermott:

That is the development of a whole new structure, yes, an alternative.

Mr. Ferlo:

Why proceed-- and I'll just close, why proceed and spend any more money if we are still -- Council should be presented with a clear process.

Mr. McDermott:

In my experience over the years, to develop an agreement between two municipalities to enter into a common interest project, is going to take a considerable amount of time. And then once you enter into the agreement, then developing the program for that building to satisfy both needs could be a number of years also.

And in the meantime, that building is non-useable down the street. It's asbestos and it has to be vacated. You can't go in there, you can't run telephone lines, computer lines because every time you do you penetrate the asbestos.

The feasibility of proceeding with a combined project is a good five to eight years. In the meantime, these people have to be out of there and have to be found rental space. We can have this building retrofitted in 13 months after the asbestos is removed and back in there.

The building falling completion of the retrofit is a very marketable building in the event that Council wants to go out and build another building, and I am sure that you would recover that cost.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

**Mr. Wagner:**

With the passage of that same bill, I would like to make a request that Engineering keep Council abreast on whether or not the construction people are maintaining their schedule in the renovation of the Public Safety Building. Obviously, that's a tight schedule and I think it's important in terms of reducing cost and inconvenience and providing better public service that that project be on schedule as closely as possible. So, if we could receive possibly a quarterly update with a letter going to the Director, Mr. McDermott, on whether or not we are keeping on schedule in that project.

**The Chair:**

Mr. Perry, will you see that that's forthcoming?

**Mr. Perry:**

Yes.

**Mr. Lyons:**

Madam President and Council, while it has been mentioned that there is an overrun on this building, I think under interrogation the Director pointed out that while we retrofit the building down there and should the future hold for us to buy another land or erect a building, well, this is making the building now, the retrofitting and the rehab is making it more marketable for sometime in the future. And certainly I'm pleased with that kind of progress.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

**AYES 7**

**NOES 1**

**(MR. FERLO VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Also,**

**Bill No. 188**

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Ferlo      | Mr. Woods   |



Mr. Lyons

Mrs. Masloff  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

### MOTIONS AND RESOLUTIONS

Mr. Pollock:

Madam President, I just have one item. I was talking to the people from the North Side Civic Development Council and they have an update that they would like to provide to this Council and to the public on what is happening with Washington's Landing. I would like to make a motion that we have a public hearing on the current status of Washington's Landing - where they are on leases, where they are on the development of it and so forth - to be scheduled by you at your convenience.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Pollock:

I ask that that be televised as well.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. DePasquale:

Madam President, it's a fact that Council is governed by Robert's Rules of Parliamentary Law and I pose this question to the Parliamentarian. If a quorum is established at roll call, is that quorum maintained throughout the meeting, even if there are only one or two members present? I'm not copying a

plea in regard to five of us not being present last week; I don't think it was right and I'm sorry it happened and I hope it never happens again. But I was always under the impression that once a roll call quorum was established, that quorum was maintained throughout the meeting. I'm almost sure of that but I would like the Parliamentarian to give us a legal opinion on that.

Parliamentarian:

The answer is that the quorum is maintained and Council can conduct all business except the passage of legislation, of course, if there are fewer than five members.

The Chair:

If there are fewer than five?

Parliamentarian:

Otherwise it would be a quorum.

The Chair:

Yes, but I mean no matter what the number is, less than five, business can be conducted?

Parliamentarian:

Well, down to two. One person cannot conduct a meeting.

Mr. Woods:

Just to add to what he's saying, when he says the passage of legislation, that means in a Monday meeting, not in a Wednesday; because when we vote in a Wednesday meeting, that's just recommending, it's not passage of legislation. So, you can run a Wednesday meeting with two people present. The Home Rule Charter says committees are made up of three.

**Mr. Pollock:**

There seems to be some kind of confusion about this and I want the Record to reflect that since I was chairing the meeting at the time, and it was the first time that I had been chairing a meeting where we went below five, I deferred to the City Clerk who had been here for 20 or 30 years and I asked him what we should do. Mr. Perry said that if we go below five we don't have a quorum and, if someone raises the issue, that we'd have to adjourn. I said fine. Somebody raised the issue so I said we had to adjourn. That's exactly what happened; isn't that correct, Mr. Perry?

**Mr. Perry:**

Yes. And I'd like to add that it seems like every week we change our rules one way or another. I'd like to get that straightened out, too. Is it going to be two, three?

**The Chair:**

You heard the ruling by the Parliamentarian.

**Mr. Perry:**

Okay, is that going to be the rule then?

**The Chair:**

Yes.

**Mr. Perry:**

Okay.

**Mr. Ferlo:**

With all due respect to the Parliamentarian, and frankly, I don't care what the rule says. The fact of the matter is that out of all the

responsibilities that we as elected officials have, it's to be here on Monday and to be here on Wednesday morning for the Finance Committee Meeting. And regardless of what the rule says — The way I read the rule, it says that you need five to have a quorum and to pass on legislation. If there's not going to be five, then we should not conduct a committee session; we should not be forwarding recommendations to the Monday session, as far as I'm concerned.

But regardless of what the rules say, it's a question of what is right. And what is right is that we have nine elected officials here and if we can't even make a Monday and a Wednesday session, I suggest that some members go on to other endeavors. But I think it's outrageous that we can't minimally have five; I think we should have all nine. But minimally, I'm opposed to any conducting of business without a minimum of five people and I suggest a re-reading of the rules indicate that it takes a majority and majority, to me, means five.

**Mr. DePasquale:**

Point of order, Madam President. I'm the first to state that I wish that nine could be at all meetings, even though I've been guilty of leaving meetings and making it less than nine. And I just want to establish a fact whether a quorum was present that day or not. Apparently a quorum was present and it's been distorted something awful. And this is what caused all the cartoons and everything else in regards to Councilmembers leaving, not the fact that Councilmembers left, the fact that we did not have a quorum. I'm not condoning five members leaving a meeting, I never did and I don't think any other member of Council does.

**Mr. Coyne:**

Madam President, I have to agree with Councilman Ferlo. I have a real hard time accepting that two members can carry on a meeting and make suggestions as this body as a whole.

Also, I don't think it's too much to be asking us to be here for two days a week. Also, if you're going to leave the meeting, I think you should tell the Finance Chairman, if it's Mr. Pollock or the President, yourself, that you have an outside engagement. And except in the occurrence of an emergency, I don't think it's very much at all to let the presiding officer know that you will be unable to attend or stay for the entire duration of the meeting.

**Mr. Woods:**

Here we go again with Mr. Ferlo and Mr. Coyne, what's good for the public; they're the only people that know. No one has said or suggested that you shouldn't be here on a Monday or a Wednesday or a Tuesday or a Thursday. Not one member of this Council has suggested that. Mr. DePasquale brought it up that a quorum was present. In the past we've run meetings and, Mr. Pollock, you know that and I realize what Mr. Perry said to you, and I'm not faulting you or Mr. Perry or anybody else. But you know we've sat through meetings, hearings, where there were two, three people, four people. No one says it's right; I'm not saying it's right. I agree that I can make two meetings or three meetings or whatever; I'm here. But it just happened to be that one day. So, all these people saying that we can at least do that, hell, we all know that.

**The Chair:**

We're going to stop the discussion; everybody has had their say. Mr.

Wagner, you're the only one and then the discussion is going to be closed.

**Mr. Wagner:**

Well, I just think it's important to note, and I think it has to be clarified, on a Wednesday vote, that is a final vote on certain items, invoices and travel. So, it's important to maintain that number on the votes on that particular item also.

I'd like to make a motion, Madam President, that the public hearing next Monday, dealing with the paramedic issue, at 10:00 a.m., be televised.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Very briefly, twice now this City Council has asked Mr. Schneider to communicate to it regarding the issue of the foremen's contract. I'd like another letter to go out but I'd like to ask Councilmembers to join me in opposing the trip by Mr. Schneider when he comes to the table Wednesday for over \$1000 to go to San Diego. I think this is a good opportunity that we should express concern about the fact that he has failed and refused to indicate to Council on an important issue. So, I'm giving him a day and a half notice to put his boxing gloves on for Wednesday morning.

I would also like, Madam President and City Clerk, there's a controversial issue that's on the table Wednesday. I'm going to make a motion to hold it for a week and I'm asking that a post agenda session be scheduled for Wednesday at 1:00. This regards the City contract for our fuel for City vehicles. There's a bill up to put a request for proposals out for \$500,000, supposedly enter into contract with the gas card system whereby we're

going to hand out credit cards to 5400 employees around the City.

It's a lengthy debate and discussion and since people are concerned about the Finance Committee Meetings extending too long, I'm suggesting that a post agenda will be held on that issue Wednesday at 1:00.

I'll just close by saying that if we only allow a couple of people to vote, then we're opening the flood gates to even suggest that. And as far as I'm concerned, the public should ask that we be drawn and quartered if we're not here Mondays and Wednesdays.

**Mr. Wagner:**

Madam President and members of Council, in regard to that bill with the post agenda, I would be very much in favor just to debate with the Administration on the issue right at the meeting. And the fact that a post agenda sometimes is a better forum for discussion, I can agree with that. But it's also a very important issue and maybe everything we need to talk about on the issue should be talked about publicly.

**Mr. Ferlo:**

I have no problem with that. The problem is it's now at the end of the day, Monday. There's a significant packet of information that has yet to come from the Administration regarding the cost benefit of jobbing this out to private contract. I'm just worried that we're going to be sitting there on Wednesday without having a lot of detailed information and I don't like to be at a loss to debate the point with the Director when I don't have the information.

**The Chair:**

You asked for a post agenda, Mr. Ferlo, and it was granted.

**Mr. DePasquale** moved to excuse Michelle Madoff for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Pollock** moved to approve the Minutes of Monday, February 15, 1988 and Monday, February 22, 1988.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, March 14, 1988

No. 11

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, March 14, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Today we are pleased to have the eighth grade of St. Norbert's School with their teacher, Miss Beck, who has threatened to give them all a test on everything that happens today, so you'd better listen carefully.

#### PRESENTATIONS

Mr. Coyne:

Could I have Toni Gorenz and Bill Bissell come up, please?

Mr. Coyne presents

No. 367 WHEREAS, the Board of Commissioners of Allegheny County have proclaimed the month of March, 1988, "Hemophilia Month"; and

WHEREAS, the Western Pennsylvania Chapter of the National Hemophilia Foundation is a non-profit, social service agency devoted to improving the health and welfare of persons with hemophilia, through education for patients, providing financial support for research and treatment of the disease, and increasing public awareness of hemophilia; and

WHEREAS, the Hemophilia Center of Western Pennsylvania provides comprehensive care for all individuals who reside in Western Pennsylvania; and

WHEREAS, hemophilia is an inherited disease which prevents the blood from clotting properly, affecting males principally, of all races and socio-economic groups; and

WHEREAS, hemophiliacs still face a life of unpredictable medical complications that may result in disability or death; and

WHEREAS, proper medical

treatment and public awareness and acceptance of this medical condition will allow the individual to live a productive, independent life and will dispel some of the common misconceptions of the disease.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the month of March, 1988, as "Hemophilia Month" to increase public awareness of this disease and thereby assist in efforts in improving the health and welfare of persons with hemophilia.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend the officers and members of the Western Pennsylvania Chapter of the National Hemophilia Foundation and the Hemophilia Center of Western Pennsylvania for their program of public awareness and for seeking funds to improve treatment and research of this disease until a cure can be found.

Mr. Coyne moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Coyne:

I have with me Toni Gorenz and Bill Bissell, both from the Hemophilia Foundation, and if they could just say a few words, please.

Ms. Gorenz:

Madam President, members of Council, Mr. Coyne, on behalf of all individuals with hemophilia who reside in Western Pennsylvania, I'd like to thank you for this resolution.

I'd also like to take this opportunity

to publicly thank the Department of Health, the State of Pennsylvania, for supporting our comprehensive care programs, the United Way of Allegheny County for supporting our Chapter, as well as our dedicated staff and our many members of our volunteer staff. Without all of these individuals we would not be able to provide the kinds of programs that we provide and our ultimate goal is a cure.

Thank you very much.

Mr. Wagner:

Madam President and members of Council, I'd like to ask the following people to please step forward for this resolution: Jack Gavin, Worthy Supreme Sir Knight of the Knights of Equity; Lorraine Keller, President of the Daughters of Erin; Kathy Watson who is the Vice-President of the Daughters of Erin and also the Director of the Dance Council; Bernie Cusick representing Mike Walsh and also is a very important person in the Knights of Equity; and last but not least, John McMahon who is also an officer in the Knights of Equity. It's no secret what the resolution is all about.

Mr. Wagner presents

No. 368 WHEREAS, on Thursday, March 17, 1988, the Knights of Equity, Court No. 9, and the Daughters of Erin will celebrate their annual St. Patrick's Day Banquet and Dance at the Pittsburgh Hilton Hotel and Towers; and

WHEREAS, the Knights of Equity was founded in 1895 for the spiritual, material and social development of Irish-Americans, the teaching of Irish history and culture, and the defense of the cause of freedom of the people of Ireland; and

WHEREAS, from the time of its inception, the Knights have fought anti-

Catholic discrimination, freeing Catholics to enjoy their full civil rights, and to earn respect in business, the professions and public office; and

WHEREAS, today, members of the Knights of Equity constitute a vast and energetic society, directing their efforts toward mutual assistance, helping the church, working for the cause of liberty for Ireland, and denouncing discrimination in all its hateful forms.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby offer our sincere best wishes for the success of the St. Patrick's Day Banquet and Dance; and

BE IT FURTHER RESOLVED, that we extend our heartfelt "Erin Go Bragh" to the Knights of Court No. 9 and all those participating in the week's festivities.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Prior to having Jack Gavin come up and say a few words and introduce everyone else again, I'd like to say that this past weekend we probably had our most successful St. Patrick's Day Parade ever. There were literally thousands upon thousands of people in the Pittsburgh Streets and marching down the parade. I've never seen so many people participate in the St. Patrick's Day Parade. A lot of tribute and a lot of credit should go to the Knights of Equity and the Daughters of Erin, some other Irish organizations that also play a very important part in this parade. So, Jack

Gavin, please come up and say a few words.

Mr. Gavin:

Madam President and members of City Council, needless to say, this is an honor to be up here again this year. I thank you very much for the proclamation on behalf of not just the Knights of Equity and the Daughters of Erin, our ladies' auxiliary president, Lorraine Keller; the teacher of our culture and our dancing which we're very proud of because we keep our heritage together, Kathy Watson; the Vice President of our organization, actually, he is the Worthy Vice Sir Knight, Bernie Cusick; and my boss originally, John McMahon, is a past Supreme Sir Knight.

I'm here to deliver this little poem that was given to me three years ago, and I think this little poem is going to say everything that I feel, and it's never been heard before. There are three people here who know the individual who wrote this poem; one is a man that I grew up with, sitting over on the corner there, by the name of Ben Woods; I've had the privilege of knowing Jimmy Ferlo; of course, Michael Coyne; and of course, most importantly, the man who sponsored this, Jack Wagner. But I want to say what I think that we Irish have in our hearts at this time of the year. It is something that I think we all believe in and, again, this is the first time.

#### BLESSED

Of many things I know I'm blessed;  
It's love of Ireland I feel best.  
I'm caught forever in her spell;  
My thoughts on Erin ever dwell.  
The stone-stashed cottage flower then;  
The shreds of mist cling to the glen.  
The wind blown mountains craggy heights;  
The rolling meadows are God's delights.

I've watched the shining shed and flow;  
At fest there still the turf flower grow.  
Over all this exquisite scene lies a  
beauty, a thing of dreams.  
Long look, for yesterday is gone;  
I still believe here her siren's song.  
And as the tears dry on my cheeks;  
My throat constricts, I cannot speak.

One of my dearest friends, James Patrick Bracken, an old union, hard-working, North Side Irish Catholic, wrote that. And on behalf of him and on behalf of you, ladies and gentlemen, thank you very much for this great honor.

**Mr. Coyne presented**

No. 337 Communication from Michael F. Coyne, Councilman, requesting authorization for Michael Lamb to attend a Capitol Orientation seminar entitled, "State Governments Impact on Municipal Management", in Harrisburg, PA, March 24-25, 1988, at a cost not to exceed \$25.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, City Council.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 338 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and Patrick Media Group, Inc., for the payment of costs sustained by the latter upon the removal and installation of its billboard in connection with the construction of public sanitary sewer improvements on, over, across, under and through certain property owned by the POA Company, along Banksville Road near the Parkway West inbound lanes in the 20th Ward, City of Pittsburgh, owned by the POA Company, at a cost not to exceed \$12,882.65, chargeable to and payable

from Code Account EC 87-52.

Also,

No. 339 Resolution providing for the purchase from POA Company for public sanitary sewer improvements of an easement on, over, across, under and through certain property along Banksville Road near the Parkway West inbound lanes in the 20th Ward of the City of Pittsburgh designated as Block No. 16A, Lot No. 300, for \$4,500.00, chargeable to and payable from Code Account EC 87-52.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

I abstain. What's the emergency?

Which motion prevailed.

Also,

No. 340 Resolution providing for an Agreement or Agreements or Supplemental Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Design in connection with the Rehabilitation of Various Playgrounds, at a cost not to exceed \$27,500.00, chargeable to and payable from Code Account CDEC 86-46.

Also,



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Mr. Coyne moved to adopt the resolution.

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I'm caught forever in her spell;  
My thoughts on Erin ever dwell.  
The stone-stashed cottage flower then;  
The shreds of mist cling to the glen.  
The wind blown mountains craggy heights;  
The rolling meadows are God's delights.

I've watched the shining shed and flow;  
At fest there still the turf flower grow.  
Over all this exquisite scene lies a  
beauty, a thing of dreams.  
Long look, for yesterday is gone;  
I still believe here her siren's song.  
And as the tears dry on my cheeks;  
My throat constricts, I cannot speak.

One of my dearest friends, James Patrick Bracken, an old union, hard-working, North Side Irish Catholic, wrote that. And on behalf of him and on behalf of you, ladies and gentlemen, thank you very much for this great honor.

**Mr. Coyne presented**

No. 337 Communication from Michael F. Coyne, Councilman, requesting authorization for Michael Lamb to attend a Capitol Orientation seminar entitled, "State Governments Impact on Municipal Management", in Harrisburg, PA, March 24-25, 1988, at a cost not to exceed \$25.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, City Council.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 338 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and Patrick Media Group, Inc., for the payment of costs sustained by the latter upon the removal and installation of its billboard in connection with the construction of public sanitary sewer improvements on, over, across, under and through certain property owned by the POA Company, along Banksville Road near the Parkway West inbound lanes in the 20th Ward, City of Pittsburgh, owned by the POA Company, at a cost not to exceed \$12,882.65, chargeable to and payable

from Code Account EC 87-52.

Also,

No. 339 Resolution providing for the purchase from POA Company for public sanitary sewer improvements of an easement on, over, across, under and through certain property along Banksville Road near the Parkway West inbound lanes in the 20th Ward of the City of Pittsburgh designated as Block No. 16A, Lot No. 300, for \$4,500.00, chargeable to and payable from Code Account EC 87-52.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

I abstain. What's the emergency?

Which motion prevailed.

Also,

No. 340 Resolution providing for an Agreement or Agreements or Supplemental Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Design in connection with the Rehabilitation of Various Playgrounds, at a cost not to exceed \$27,500.00, chargeable to and payable from Code Account CDEC 86-46.

Also,

No. 341 Resolution further amending Resolution No. 953, effective November 3, 1986, as amended by Resolution No. 30, effective February 2, 1987, entitled: "Providing for a Contract or Contracts for the Reconstruction of the Department of Public Works' Second Avenue Building; and providing for the payment of the cost thereof," by increasing the total project allocation by \$20,000.00 (from \$700,000.00 to \$720,000.00) chargeable to and payable from EC 86-87 - \$700,000.00 and EC 87-47 - \$20,000.00; total \$720,000.00.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 342 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Carol Veal to attend the "Certificates in Government Contracts", Arlington, Virginia, April 27-29, 1988, at a cost not to exceed \$1,350.00, payable from Code Account No. 1128, Miscellaneous Services, Department of General Services. This seminar will focus on all the relevant certificates; the how, when & why of signing; criminal & civil liability risks; exemptions & exceptions; Government remedies; marketing strategies & certification; the certificate as a negotiating tool; and settlement strategies.

Which was read and referred to the Committee on General Services.

**Mr. Lyons presented**

No. 343 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Richard Smith to attend a training workshop entitled, "CDBG Strategies for Assisting the Homeless", Philadelphia,

PA, April 6-8, 1988, at a cost not to exceed \$525.00, payable from CDPA-1986. This course addresses the homeless issue from the perspective of the Community Development program. It considers what financial support, staff skills, political and programmatic resources the CDBG agency in a community can bring to bear on the diverse problems of homelessness.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 344 Communication from Alex Sciulli, Director, Department of Water, requesting authorization to reimburse Dr. Stanley States for expenses incurred while attending a three-day workshop sponsored by the American Water Works Research Foundation, Philadelphia, PA, January 6-8, 1988, at a cost not to exceed \$400.00, payable from Code Account No. 1922, Miscellaneous Services. The original request for reimbursement was submitted January 12, 1988, but was misplaced.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 345 Resolution authorizing the Mayor on behalf of the City of Pittsburgh to enter into an Agreement or Agreements with the Greater Pittsburgh Convention and Visitors Bureau, Inc. and the David Lawrence Convention Center, and the Commission on Presidential Debates, a District of Columbia nonprofit corporation, to enable said parties to produce and hold a debate in Pittsburgh during the 1988 general election campaign between Presidential or Vice-Presidential candidates. (PRIOR APPROVAL GRANTED)

Also,

No. 346 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,196.73 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1980 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which were read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 347 Resolution providing for the issuance of a \$1,567.20 warrant in favor of the Port Authority of Allegheny County in settlement of claim for property damage on Alton Street on July 17, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 348 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$22,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1988 written, performance and promotional

examinations administered by the Department of Personnel and Civil Service Commission, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 349 Resolution authorizing the transfer of \$135,000.00 from the JTPA-1 Trust Fund, to the General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Job Training Partnership Act Program for Fiscal Year 1987.

Also,

No. 350 Resolution amending Resolution No. 437 of 1987 entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof," by increasing the amount available for subcontractor agreements by \$290,000.00 (from \$515,000.00 to \$805,000.00) chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 351 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 352 Resolution amending Resolution No. 1087, Item G, approved December 31, 1987, which repealed Item M of Resolution No. 384, approved May 8, 1986, which authorized the sale of property in the 26th Ward of the City of

Pittsburgh, being a 3 Story, Brick house and garage, located at 2206 Perrysville Avenue, designated as Block 46-K, Lot 74, to Stephen R. Cafaro, for the sum of \$5,000.00. The reason for the above Amendment is to correct the information on the Repealing Resolution regarding the amount of the Sale and the amount to be forfeited, which should read: Amount \$5,000.00 and Amount to be forfeited \$500.00.

Also,

No. 353 Resolution Repealing Resolution No. 159, Item E, approved March 4, 1987, which authorized the sale of property in the 12th Ward, being a vacant lot, located at 1126 Lincoln Avenue, designated as Block 173-N, Lot 160, to Diane Chatman, for the sum of \$500.00. The reason for the above repealing resolution is that the purchaser is the Daughter-in-Law of the former owners, and members of the same families must redeem (not purchase) property of former owners.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 354 Resolution providing for an Agreement or Agreements with the Womens Center and Shelter of Pittsburgh for professional services at a cost not to exceed \$13,000.00, chargeable to and payable from the Department of Public Safety, Code Account 1401.

Also,

No. 355 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Andrew Mesaros, Programmer Analyst 3, Department of City Information Systems to attend the National CAD Consortium Technical

Committee meeting at the offices of the Emergency Communication Center, Minneapolis, Minnesota, March 6-13, 1988, at a cost not to exceed \$366.00, payable from the PSTA Code Account. The purpose of the meetings is to complete the functional design specifications of the CAD software Logical Design document.  
**(PRIOR APPROVAL GRANTED)**

Also,

No. 356 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Linda Rosato and Philip Dacey, Bureau of Police, Department of Public Safety to attend the Virginia School of Polygraph, Virginia Beach, Virginia, March 27 - May 21, 1988, at a cost not to exceed \$11,120.00, payable from the PSTA Code Account. The entire course includes instructions in physiology, psychology, legal aspects, chart interpretation, mechanics and instrumentation.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 357 Resolution Repealing Resolution No. 378 effective May 11, 1984 entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for Miscellaneous Electrical Services for the renovation of the Second Avenue Substation and other structures within the Department of Public Works, at a cost not to exceed \$18,000.00, chargeable to and payable from Code Account PW 84-21, Miscellaneous Electrical Services.

Also,

No. 358 Resolution providing for a Contract or Contracts, or the use of

existing Contracts, for the purchase of a 3M Processor Camera for the Survey Division of the Department of Public Works at a cost not to exceed \$24,077.80, chargeable to and payable from Code Account 1612-2, Equipment.

Which were read and referred to the Committee on Public Works.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 359 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article I, General Provisions, Chapter 191, Retirement and Severance Pay, Section 191.04, Death, by changing "ineligible" to "eligible" for severance pay for his accumulated sick leave days. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

**The Chair presented**

No. 360 Communication from Michael Perry, City Clerk, requesting authorization for Al D'Alessandro and Pete Vaughn to attend the Annual GFOA Conference, in Atlanta, Georgia, April 30 - May 4, 1988, at a cost not to exceed \$2,700.00, payable from Code Account No. 1101-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council.

Which was read and referred to the Committee on Finance.

Also,

No. 361 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the Melanchton Street footbridge. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 362 Petition from the residents of Wilkinsburg Manor, 13th Ward, City of Pittsburgh, requesting a public hearing to discuss the problems in their area concerning traffic fatalities. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

#### REPORTS OF COMMITTEES

**Mr. Pollock presented**

Bill No. 363

Report of the Committee on Finance for March 9, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 280

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$35,000.00, payable to Mary R. Flaherty, c/o James R. Duffy, Esquire, 1109 Grant Building, Pittsburgh, PA 15219, in the full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.



**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 364

Report of the Committee on Public Works for March 9, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 289

A Resolution entitled, "Resolution providing for an Agreement between the City of Pittsburgh and Ross Township in connection with the resurfacing of Rodenbaugh Avenue between Ivory Avenue and the City line and providing for the payment by the Township to the City of the Township's share of the cost thereof."

Which was read.

Also,

Bill No. 290

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 291

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the renovation of walls and related facilities of City property, various areas throughout the City."

Which was read.

Also,

Bill No. 324

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for improvements to the Three Rivers Stadium Parking Lot and other work incidental thereto, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 365

Report of the Committee on Planning, Housing and Development for March 9, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 278

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a nine-story parking garage extension of 259 parking stalls to the existing nine-story garage for the Mercy Hospital of Pittsburgh on property zoned "I-C" Institutional-Civic District and bounded by: STEVENSON STREET; FORBES AVENUE; PRIDE STREET and LOCUST STREET, 1st Ward."

Which was read.

**Mr. Ferlo:**

Madam President, I'd like to make a motion to recommit this bill because the department director was not present at the last Finance Committee Meeting to discuss a number of questions that I personally have on the bill. So, I make the motion to recommit.

**Mr. Coyne** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |           |
|----------------|-----------|
| Mr. Coyne      | Mr. Ferlo |
| Mr. DePasquale |           |

AYES 3 NOES 6

VOTING NO:

|                 |              |
|-----------------|--------------|
| Mr. Lyons       | Mr. Wagner   |
| Michelle Madoff | Mr. Woods    |
| Mr. Pollock     | Mrs. Masloff |
|                 | (Pres't)     |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Ferlo:**

On the bill itself. First of all, I think we're establishing a very bad precedent here regardless of the actual merits of the legislation. I think when Councilmembers want to question a bill, it's important before we finally vote on the legislation that we're knowledgeable

about what we're voting on and if we have legitimate questions and concerns, and if we are setting a precedent now where department directors are not necessarily made to come to the table and are available for Councilmembers to ask questions, I have a problem with that precedent.

On the bill itself, obviously I'm very much in support of Mercy Hospital. But I do have a number of concerns. I think when there is a major institution in the City such as Mercy Hospital which, in the main, is a non-profit tax exempt institution, that when and if they are planning expansion that we know fully what their expansion intent is.

While it is true, I've come to learn, that the piece of property in question adjacent to the existing parking lot is already currently owned by the Hospital, I think it's fairly legitimate that when a Councilmember has questions about overall expansion plans of an institution, that somebody, in particular the department director from Planning, is available to answer some of those questions.

I know in the particular area there is a question on the part of the neighborhood generally on the issue of parking. But I am concerned about encroachment and further expansion of non-profit institutions in the City of Pittsburgh at a time when close to fifty percent of our land is tax exempt.

Those are some of the questions I wanted to learn and discuss with the department director.

**Mr. Lyons:**

Madam President and Council, I secured the information that the property is all ready and has been owned

by Mercy Hospital. They are within the ambience of the property that they own and they have held meetings and they had no concealing votes at the Planning Commission of all the people they went out to get and therefore I see no reason why this bill shouldn't be passed.

**Michelle Madoff:**

Madam President, in principle I would support Mr. Ferlo's contention that he has the right to get the information he needs. The only question at the last Finance Meeting was, indeed, did they own the property, who was it, if anybody, that was going to impact on the community. And having checked that out before today, I was satisfied that there was no real problem.

As for the issue of tax exempt entities encroaching in the City, that is a separate and apart issue that we will have to deal with under tax reform and I see no reason to hold this bill up.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

**AYES 9      NOES none**

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

**Mr. Ferlo presented**

Bill No. 366

Report of the Committee on General Services for March 9, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 273

A Resolution entitled, "Resolution providing for the letting, during the calendar year 1989, of contracts and for the use of existing Contracts, for the maintenance, rental, rehabilitation, renovation, inspection, or servicing of personal property bonding, insurance, printing and other related services and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 275

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Compressor, Pavement Breakers, Tampers & Clay Diggers for the Department of General Services, Code Account 4-30-01-0001-86, (GS 86-04) Index Code 370320, Miscellaneous

Equipment for City Departments for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 276

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

Madam President, I move to recommit Bill No. 276.

**Mr. Woods** seconded the motion.

**Mr. Woods:**

Madam President, if I may, I think we can speak on this motion. The reason I say, and I suggest or ask that Council go along with Mr. Ferlo, he is the Chairman of this Committee and always in the past when the chairman of a committee asked to have his or her bill recommitted, Council went along with it. I know on Wednesday when he wanted it held for a week, I happened to be out of the room and it didn't get held. But I think as a courtesy to a chairman of a committee, if they request that it be held, we always held it and I would suggest that Council do that again today.

**Michelle Madoff:**

Traditionally I would support what Mr. Woods is saying and I realize that Mr. Ferlo is a new member of Council and somebody who has been here as many years as you have and I have and Mr. DePasquale and Sophie Masloff, we've been here many years, and we can understand where somebody might have a problem in getting the information they need. But it seems on this particular issue, in talking to the Director and in previous meetings here before Council, the issue is pretty clear cut and if every time the Director tries to do her job, get the bills through Council, the Chairman of the Committee is going to be an obstructionist and hold up the bills, then all of us are subject to the repercussions and the delays and the problems that the delays cause in the fact that, for example, our police cannot go across town and get their gasoline right away -- they have to go across town as opposed to getting it at an accessible source or our paramedics.

This bill should have been in place yesterday, and by that I means months and months ago. I think it is imperative that we discuss it right now. Those of us

who got Mr. Ferlo's review spent some time and I think Councilwoman Masloff has the information. I have the information and I see no reason why we can't discuss it right now and get on with protecting the citizens of this community by having the energy available to them.

It is not as if this just came up today, with all due respect, Mr. Woods, and we said, "Well, let's give the Chairman a chance to hold it." There was a question of a post agenda; there was a question of many issues. I have the information I need to vote right now; I think many of us have checked on this and I would suggest we go ahead with this because it's very vital that we proceed.

**Mr. DePasquale:**

Madam President, I am in favor of the bill but I would give the Chairman of the Committee the courtesy of recommitting with one exception; is there a time problem here?

**The Chair:**

I don't know except that all the questions that were raised have been answered, Mr. Depasquale. I can see no purpose either in holding it.

**Mr. Ferlo:**

I don't believe there's a time problem because there's already an existing contract which is the pilot program which permits the department to keep incurring costs under the gas card system. So, I don't see that there's any great hurry.

**Mr. Wagner:**

Madam President and members of Council, in regard to the hold motion,

going back a year ago I was the one concerned about this and brought a resolution in front of Council so that our vehicles could be fueled at satellite locations rather than simply one location. So the intent of the bill I definitely support and possibly the bill itself.

But getting back to the hold motion, the Chairman of the Committee has requested to put back into Committee and I think it's a justifiable request from a chairperson of that committee. And due to the fact that the information that we received was a day prior to last Wednesday's Standing Committee Meeting, we really did not have much time to review it or to interact with the Department Director. So, with the Chairperson of that Committee requesting that this be held for one week, I think that's a justifiable request.

A previous bill in Planning, Housing and Development, Mr. Lyons did not want held; he is the Chairperson of that Committee and Council supported his request. I believe that the Chairperson of any committee has the right to ask Council to hold a bill for one week for additional information. So, therefore, I support the hold motion.

**Mr. Coyne:**

Madam President, just to concur with Mr. Wagner, I support the bill, Mr. Ferlo, and I disagree on this issue. But, since he is the Chairman of the Committee, I do think that we should give him the benefit of the doubt and just hold it for a week. As far as I know, speaking with the Director, there is no time factor involved.

**Michelle Madoff:**

In the normal procedure of Council,

I believe that we've all agreed that it would be courteous to let a department head have the respect of letting them hold a bill. However, it is becoming very apparent to many of us here in Council that we cannot just be obstructionists on the basis of every time a meaningful piece of legislation comes up, meeting with the department head, meeting with the director, and then saying, "I still want to hold the bill." I don't think that's fair; I don't think harassment of the department head -- We're going to lose her; she's going to leave because nobody is going to take this constant kind of abuse, meeting for three hours in the office on a bill and then coming before us and saying we don't have the information.

When Mr. Ferlo is correct, I vote with him all the time, consistently. I think in this instance the questions could be answered in five minutes, the issues that he's raised, and we could get on with the bill. I see no purpose in holding it again and cross-examining her once more when we've already got the answers and she has supplied us with the answers.

**Mr. Pollock:**

I think what everybody is saying is not mutually exclusive. I think Mr. Woods has accurately stated the courtesy that should be given to a committee chairman. I think Michelle has correctly stated the courtesy that should be given to a director. And I think, as I stated earlier, that these are not mutually exclusive, that courtesy begets courtesy and that if a committee chairman requests courtesy from his colleagues, then he or she should bestow courtesy upon the Director with which he or she is working.

A case in point was that this past Wednesday a bill was asked to be held in General Services for the reason given

that information wasn't supplied, and the Director said it wasn't requested. So, the bill was introduced ten days or two weeks earlier and there had been no request to obtain this information and so the bill was attempted to be held, or actually, in fact, it was held. This is common courtesy. If the Director submits legislation and there are questions, you don't wait to hold the bill and hold up that Director's legislation. You make a call when it's introduced and say, "I want information."

I think that this Council should not be non-congnizant of relationships between committee chairmen and directors. The directors work for all of Council and all of the City; they don't work for one member of Council. And, as I stated earlier, courtesy begets courtesy and I'm willing to give courtesy to my colleagues, and I will in this case, but if discourtesy and confrontation and obstruction continues, then I don't think this Council, and especially not I, should bestow courtesy to any colleague who asks for it.

**Mr. Lyons:**

Madam President and Council, what penalties will we suffer for not passing this now? What was the motion? The motion wasn't for a week so that would have to be included. It wasn't in the motion; it was just to be recommitted.

**The Chair:**

There was a motion to recommit.

**Mr. Lyons:**

Yes, but for how long?

**Mr. Woods:**

Just until Wednesday.

**Mr. Lyons:**

Just until Wednesday? Okay.

**The Chair:**

I, for one, feel that this bill has been talked to death. I don't know of anything else we can add to this. Everybody agreed that they're going to vote for it next week, so what are we holding it for?

**Mr. DePasquale:**

Question called for.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

**AYES 9**

**NOES none**

And a majority of the votes of Council being in the affirmative, the motion was approved.

#### **MOTIONS AND RESOLUTIONS**

**Mr. Ferlo:**

I have two brief points under Motions and Resolutions. First of all, the monthly meeting of the School Board

is this evening at 7:30 p.m. and it's the first meeting that is a public meeting where citizens, and in this case, an elected official, myself, has the opportunity to address the Board, since the Board has already agreed to accept the pact with the Pittsburgh Federation of Teachers. I'm going there this evening to speak because I have a concern not only about that wage pact and the issue of the residency but also the continuing issue that Council has raised about a planning process that needs to take place between Council as a legislative and taxing body as well as the School Board. So, that meeting is at 7:30 this evening and I would hope that maybe other Councilmembers would like to address the Board on this concern.

This coming Wednesday night, on a separate matter and then I'll close, this coming Wednesday night in these Chambers at 7:30 there will be a large public meeting and rally sponsored by the Pennsylvania Alliance for Jobs and Energy regarding Duquesne Light Company's rate increase, a rate increase, obviously, which this Council opposed in its original form which was a 47 percent rate increase. As you know, much to the credit of the Administration and the Solicitor, the City has expended thousands of dollars in opposition in litigation against the rate increase.

The third and final vote of the Public Utility Commission on the Duquesne Light Company rate increase, which tentatively is being reviewed as a 36 percent increase and not the original 47 percent, that final vote by the PUC is March 23rd at 10:00 a.m. in Harrisburg. We are attempting to, in the last few days, a week and a half before the final vote, to mobilize public opinion and ratepayer opposition. And the purpose of the meeting Wednesday night, I hope people will come down here as well as those of you on Council.

And again I would ask that if citizens are opposed to the rate increase, which, obviously, many of us are, that you take the time to call the Public Utility Commission and lodge your complaint by calling in a toll-free number: 1-800-782-1110. Express your opposition to the rate increase. Again, I hope that citizens will join us in Chambers this Wednesday evening at 7:30 for the protest against the Duquesne Light Company rate increase.

**Michelle Madoff:**

Interesting, that was the same subject matter, so I would like to address the issue. I forgot what the first one was, and may I ask for a ruling for the future — We ran into this once before and I backed off and I really looked very bad, looking at myself on the tube. We've never had someone give three issues without having people comment on the individual issue. I forget what the first one was and there's something I wanted to say about it.

**Mr. Ferlo:**

The School Board.

**Michelle Madoff:**

I'll take that first and then I want to talk about Duquesne Light. It's always been the rule that people talk on a subject and if anybody else wishes to add something, we add. But when you get into three items, as Mr. Ferlo did last time, and two items this time, what happens is that we don't have input.

**Mr. Ferlo:**

I'd like to raise a procedural point so we can be clear on this.



**Michelle Madoff:**

The procedure is that you take one item at a time, address it, and then you take the second one; you still keep the floor.

**The Chair:**

Hereafter we'll take one at a time.

**Mr. Ferlo:**

That's no problem as long as we're not yielding the floor. If we're not yielding the floor, I'd be glad to talk about one issue at a time. Everyone else is in a hurry to get out of this room; I'm not.

**Michelle Madoff:**

Since I'm not in a hurry to get out of the room, Madam President --

**Mr. Ferlo:**

Mr. Pollock leaves the meeting before anybody can speak.

**Michelle Madoff:**

That is out of order.

**Mr. Ferlo:**

It's not out of order.

**Michelle Madoff:**

Madam President, may I have your permission to ask Mr. Ferlo a question about the meeting tonight?

**The Chair:**

Yes.

**Michelle Madoff:**

Mr. Ferlo, on tonight's meeting, are you scheduled to speak?

**Mr. Ferlo:**

Yes, Ma'am.

**Michelle Madoff:**

Can anybody come in and speak without being scheduled?

**Mr. Ferlo:**

No, you have to be scheduled.

**Michelle Madoff:**

Okay, so I would suggest that before Mr. Ferlo speaks, he should clearly understand that if he goes, he goes as a private citizen and does not speak for the august body and speaks only for himself. And I think that's very important because if we're going to take a position, and I think the position has been expounded on by Mr. Wagner and others, that we should have a consensus of what we wish to say if we designate someone to be our spokesperson. Mr. Wagner and others of us have raised the concern, and a very valid one, that the tax that is seen by others to be the four percent "wage tax" being a City tax is, in fact, not a City tax. It is a School and City tax. And if we're going to go and talk to the School Board, we assign the President of this Council or a spokesperson to go with a position. Anybody is free; this is America, not Russia. And Mr. Ferlo is absolutely free to go and talk about anything he wants to as long as he speaks for Mr. Ferlo and not for the rest of this Council. That was my first item, and I don't think I'm out of line on that.

### **The Chair:**

Let me answer you on that. I have not appointed anybody to be a spokesperson for Council. Each one that goes will speak on their own behalf, as a citizen.

### **Michelle Madoff:**

You understand that I wanted to convey the message through you that, indeed, if he does go; and I'm happy that he's going, that he speaks for himself because there seems to be a diversity of opinion, for example, on the issue of the law that says you don't have to live in the City to be a member of the School Board but there was a law passed --

### **The Chair:**

That's not the issue, Michelle.

### **Michelle Madoff:**

There seems to be different opinions on this Council.

On the second item, which is Duquesne Light. I testified at the State Office Building September 28, 1987 in opposition to the proposed 47 percent rate increase and presented some history that goes back 20 years in my dealings with Duquesne Light, i.e. the fact that Duquesne Light was told and knew that if they proceeded along the route they were taking and building more nuclear power plants that the cost was going to be astronomical, that indeed they didn't need the capacity, that all the signs were there, they were not going to need the excess capacity which they're now saddled with, that the Japanese who did not fall under the spell of the panacea of nuclear energy were the ones who paid for developing the deep mines and for 20 years received the clean coal in Japan a cheaper cost than we could buy in our

own country.

I'm not sure that a rally on Wednesday, and as much as I'd like to think that it would make a difference, or calls to the 1-800-782-1110 number would have as much impact as some resolution coming out of this body that was a very strong resolution in support of the Mayor's position which was something that I moved on and we all agreed that we would support the Administration's position.

I've talked to Dan Pellegrini, I've talked to a number of people in the Administration and they're not very hopeful that we're going to get very much done. I don't know what we can do in the very short time because the ruling is about to come down. But it would seem to me that maybe bodies in Harrisburg are calling on the PUC to face the people that they're going to renalyze. Let them come here as they did to Philadelphia and face us and tell us what they're going to do, that they're going to raise the rates. And it's more than 37; it ends up closer to 39 percent when you really work the numbers out. Instead of giving us a message by carrier pigeon or by the media and saying, that's the way it's going to be, let them face us and tell us and let's have all the people here and their busses and their cars and maybe meet in Soldiers and Sailors hall, people who are concerned, and let them tell those people that their utility rates are going to go up 37 or 39 percent.

I have thought about a two-scale, two-tiered rate; a cheaper one for the residential users and a higher one for the commercial industrial users. On investigation I found it's not terribly practical. The utilities have always given a bargain rate to the large users because they sell in bulk to steel mills, etc., who use their own transmission line. The public has always paid a higher

rate for kilowatt hour. But what happens is that if we lose more industry here and we end up with a greater surplus than the 40 percent excess demand that we have now - we have a 40 percent or better excess - the more excess we have the more the residential user is penalized. And it's sort of a Catch-22. It would be wonderful if we could sit down with the Administration, particular Dan Pellegrini and those who are fighting this case, and tell us what we can do that is productive.

Yes, I agree with Mr. Ferlo that the public voice is an important facet. But the public voice was raised here and the utilities brought their hired guns, they brought their employees who shouted down the little people who are paying. It was an outrageous misbehavior, if that's a word, by Duquesne Light. The little people weren't even allowed to talk; they were booed by the employees of Duquesne Light who put, perhaps, their jobs before the fact that they have to deal with the increase in rates.

So, what I guess I'm suggesting is if the President of Council can quickly convene with the Administration to see what we can do that would really be productive. I'm willing to add my voice and my presence to be where it will count. However, I'm not just sure that we're not really trapped into a terrible situation with the impact, with Koppers, perhaps, losing jobs here, with the fact that we must face reality that the software industry, the Robotics and computer business are not going to generate the jobs that we've lost. I don't know the answers but I sure know that we've got a serious problem on our hands and to be productive we need to have some suggestions of what we can do that would be really productive.

**The Chair:**

When you talked to Mr. Pellegrini what did he tell you?

**Michelle Madoff:**

He's not very optimistic. He's asking what we can do to help, and I'm saying, what can we do to help.

**The Chair:**

What did he say?

**Michelle Madoff:**

He doesn't know. And I'm going to be talking to one of the former utility commissioners today, hopefully. I'm going to be talking, again, to the people in Harrisburg, the consumer advocates, to see what they think we can do. But one of the things they did say was that we demand that they face us, that we ask the PUC people to come here. That is something we can do. You come here and confront the people who are going to have to pay it as opposed to sending a message. And that, I think might be productive. They ought to face down the people who aren't eating and have to choose between sometimes dog food and staying warm. If they have to confront those people eyeball to eyeball, we may get some kind of an impact and maybe my suggestion would be for the moment that we ask them to come here to give their final decision.

**The Chair:**

You're asking for a public hearing then?

**Michelle Madoff:**

No, I'm asking that the President of Council, with the support of City Council, ask the commissioners of the

utilities, when they are going to make their ruling, that they make it right here in Pittsburgh and right in front of the people that are going to be impacted upon. That would be the first thing, that they're going to be called upon to confront the people they're putting this burden on. Let's start with that. And I make that as a motion.

**Mr. Pollock** seconded the motion.

**Michelle Madoff:**

What's the harm in asking them to come here?

**The Chair:**

I think the mechanics of that are going to be hard to set up. Do you want it in Council Chambers?

**Michelle Madoff:**

Where is not the issue. They've done it in Philadelphia. They went to Philadelphia to give them the bad news; let them come here. It made an impact when they knew they had to confront the people. They did not raise their rates to the extent that they were initially going to do it. That will be a beginning.

**The Chair:**

You're asking that we call them here after they have made the decision?

**Michelle Madoff:**

To come and tell us face to face.

**The Chair:**

You want them to come after they've made the decision and face the people?

**Michelle Madoff:**

That's correct.

**Mr. Woods:**

Before they make the decision.

**Michelle Madoff:**

They've already been here; where were you? We had a hearing. I want to the Public Utility Commission and I testified before it. I'm saying it was done at the State Office Building on a one on one, a few people in the room, and the testimony was recorded. There was a big hearing in this room. The people were overflowing to the elevators. It's not funny, people; this is a serious problem for those people who don't have the money to pay their utilities.

I'm saying, and I want to be very clear, that if they know in advance that they're going to have to face the people, they may think twice about making the rate quite as steep. If they know they're going to have to come in with that ruling facing the people. I'm not saying that's the only thing to do; I'm saying that's one little tactic. Very small, perhaps, but it worked in Philadelphia. It worked. It was effective when they were told they had to come in and face the Philadelphia residents with their decision. Don't ask me why it worked, but it did.

**Mr. Woods:**

Just to clarify, are you asking that this body, through the President, send a letter to the PUC asking them to come here prior to when they vote, to vote here in Pittsburgh and not vote in Harrisburg?

**Michelle Madoff:**

I'd like them to vote here and if they don't vote here I'd like them to at least come here and not send a message; be here to tell us what their decision is. I think they'll have to think twice about the people that are going to mob them when they get here and demand to know why we are being penalized and why other parts of the state — It's been an effective weapon, an effective tool. When they were told in Philadelphia that they had to be there to confront people with their decision, it made an impact and they lowered the burden.

**The Chair:**

Are you asking the PUC or Duquesne Light?

**Michelle Madoff:**

Duquesne Light does not make a decision. If it was up to Duquesne Light they'd raise it 200 percent. I'm asking the PUC to come here the day they make their decision and confront the public in Allegheny County and the City of Pittsburgh and tell us face to face, eyeball to eyeball, that they're going to raise our rates 37 percent and the impact it's going to have on jobs.

And one other thing, Madam President. There was a report that they deliberately would not allow it to be entered into the Record because they said it came in too late. I would like to know what we can do to get that report accepted as part of the Record and impact because that report which was paid for by a number of corporations in the City is completely diametric to the information that they had, that it wasn't going to hurt the City. And for them not to accept that report is unconscionable. And I think that's another thing that we can do, that we demand that that report

reflect their decision and they can't say, "Well, we don't want to look at that report" because it's the other side of the coin. It says that it will be a tremendous impact on jobs. I'll get you the name of the report; it was in the newspapers and I have it in my office.

**Mr. Ferlo:**

Just an additional comment on this. I have no problem with it, and it has been asked in the past for the Commission to conduct its vote in public in the service area in question. As I said, the PUC's vote is the morning of March 23rd in the North Office Building in Harrisburg. Consumer groups in the past, and I, by all means, would support again, this Council sending a letter asking that the Commission meet in public in Pittsburgh in the rate service area to indicate their decision.

What I'm suggesting, though, more importantly than that, because that's the midnight hour, I'm talking about mobilizing a public protest and citizen action before March 23rd. That's what needs to happen and I think that's what this legislative body needs to give some direction to.

We have expended hundreds of thousands of dollars in legal battles with the PUC on the issue of the Duquesne Light rate increase. What has not happened and what needs to happen more is to compliment that legal battle with consumer and citizen protest. The PUC is a political body just like the State Legislature and just like our Governor, Mr. Casey. Mr. Casey has yet to indicate his concern and has yet to indicate to the PUC his concern regarding the rate increase. Michelle makes a valuable comment in her concern that the report that the City and corporate community did and the tremendous loss of jobs and residents

that will move out of the area because of the rate increase. That's an important point. We need to mobilize public and citizen protest to the commission members before the 23rd vote.

In the decision pending on the rate case, both Commissioner Smith and Commissioner Shane, as well as Commissioner Taliaferro, right now are ambivalent on the question of excess capacity. I think a tremendous protest by people and businesses and the corporate community throughout Pittsburgh and Western Pennsylvania can help tip the scales prior to their vote on the 23rd. That's why I've asked people to please support the show of public protest this Wednesday evening in Council Chambers.

**Michelle Madoff:**

Madam President, I think that Mr. Ferlo is 1000 percent right on this issue and I think that his support of getting into the Record the report that has been denied by the PUC is absolutely essential and in line with the request to ask the PUC to come here and make their decision here. We also should ask that that report be accepted, at least considered, in their final decision. That report was a very expensive report; it's the other point of view. We can't wait until the meeting on Wednesday because this Council has the ability right now to include that in the letter. Would you support that?

**Mr. Ferlo:**

I second your motion.

**Michelle Madoff:**

I think we're in agreement on that and I would suggest that the letter be a two-pronged letter; one, they have their decision-making meeting here, face us

down; and the second one is that the report that has been disallowed on the basis that it's a last-minute grandstanding to buy some time and they're used to it is invalid and we demand that they look at that report because it was a very expensive, in-depth report that shows that indeed we're going to lose a tremendous amount of employment. It's going to produce a tremendous hardship on this community and it was a very valid report. It is not something that was just done by somebody on the spur of the moment to be shuffled aside. So, the letter should include both and I'll be happy to give you the name of the report. I could draft a rough letter for you.

**Mr. Lyons:**

Madam President and Council, I would like to see the motion read that the PUC will meet before they make their decision. That's what I would like to see because I think after they've made their decision, they don't have to come here. And then we have the small businesses that will collapse and suffer the giant increases of the utility. And certainly the City cannot afford to lose any other income. I feel that in the best interest of everyone concerned, the Council and the people and the residents and the businesses of the City of Pittsburgh, that we should compel the PUC membership to meet with this Council before they make their decision.

**The Chair:**

We've already met. They've been here several times. We've already met with them and have had numerous public hearings with them and everybody has had a chance to speak.

**Mr. Lyons:**

They can still come back. Madam

President, after they've made their decision, they don't even have to come. This is the only thing I'm saying.

**The Chair:**

Yes, but we've told them everything we have to say.

**Michelle Madoff:**

Could we clarify this? We're agreeing, Mr. Lyons; Mr. Ferlo and I are in agreement. What we're saying, so that it's very clear, is that we know that once they've made a decision, what good is it to have them here. The problem is, they've already been here numerous times. What we want to do is to say, you make your decision in Pittsburgh because you're going to have to live and face us eyeball to eyeball, so they will reconsider their opinion.

Secondly, they come in again, I have no problem with that, Mr. Lyons, I think it's a point well taken, and that we demand that the report that shows the other side of the coin, the impact on this community be considered and not brushed aside because it came in after the due date. It's like saying the courts refuse last minute evidence on somebody who may be convicted of a crime, not allowing evidence to be submitted. There is evidence and they're denying the admission of this evidence. We've got to see that that evidence is part of the Record. And that's what I'm asking, that this Council insist that the evidence on the other side is part of the Record and that they confront us with whatever decision they're making and make their decision right here in Pittsburgh.

**Mr. DePasquale:**

Madam President, I want to go on Record as being against the percentage increase asked for by Duquesne Light.

And I appreciate the comments of all my colleagues; however, I would think that the remarks made by Mr. Ferlo were more in order and they're the ones we should follow.

**Michelle Madoff:**

Madam President, Mr. Ferlo and I said the same thing.

**Mr. DePasquale:**

No you didn't.

**The Chair:**

Wait a minute. Are you through, Mr. DePasquale?

**Mr. DePasquale:**

No. Mr. Ferlo said the meeting Wednesday was the important one, not after the fact.

**The Chair:**

So there will be a meeting on Wednesday.

**Michelle Madoff:**

That's after the fact. There is going to be a meeting. I'm saying in addition to the meeting we need to do the other. And Mr. Ferlo seconded my motion so obviously we agree on it.

**The Chair:**

Is there any further discussion?

**Mr. DePasquale:**

Have we voted on the letter?

**The Chair:**

Well, I didn't think we needed a

vote on that. I agreed that I would write a letter to the PUC and tell them that the day they make the decision we want them to make it here in Pittsburgh and to confront the people, and also, to demand that they look at the report, whose name Michelle will supply. I didn't think that was a matter for a vote.

**Mr. DePasquale:**

Well I don't want my name on that letter.

**Mr. Lyons:**

But a motion went on the floor. There's still a motion on the floor.

**The Chair:**

What motion?

**Mr. Lyons:**

The motion that Michelle made.

**The Chair:**

It was not a motion; she just suggested that we send this letter, and I will send the letter. And your remarks will be a part of the Record, Mr. DePasquale.

**Mr. Wagner:**

Madam President and members of Council, one item. A year ago this Council passed a resolution that I presented requesting that the Parks and Recreation Department determine a location for a golf driving range within the City of Pittsburgh. When that resolution passed here unanimously, we indicated the many potential locations in the City where that could be done on City property, the fact that there is none within the confines of the City of Pittsburgh.

In passing that resolution, a note was sent to the Director of Parks and Recreation, Louise Brown. She responded by saying that she would respond to this Council by the Fall of last year. Well, we are one week away from Spring and we still have not had a response. Therefore, I would like a letter going from the City Clerk's Office to the Director of Parks and Recreation, Louise Brown, asking where these potential locations are because they can act as a revenue generator within the City of Pittsburgh and they could very well be part of our Parks and Recreation system.

I would like a copy of the study and a report by next Monday's meeting and when, in fact, we could have something of this type operating within the City.

**Michelle Madoff:**

Madam President, one other quick item. We agreed in this Council, again, at a vote, to put a no smoking sign in all the buildings, in elevators, that say no smoking or carrying of lighted materials. I know that there are buildings in the City that have been threatened with penalties because they have called in to Building Inspection to find out what the rules are. But the City County Building, our own elevators, have a piece of junk, a piece of cellophane that has been scratched off and the solid metal or permanent signs have not been put up here.

May I get a response, Mr. Perry, and with the President's permission, from I guess it would be Mr. Imhoff, when our signs will be in place to set an example for the rest of the City. The no carrying of lighted materials and no smoking signs, in our elevators that are permanent, non-removable, metal signs, or something equally secure, something of a solid material that would not be



scratched off. It is really unbecoming for this Council to vote on something, have other buildings being penalized, and we don't even set an example.

**Mr. Ferloc:**

Didn't the law take effect, Madam President?

**Michelle Madoff:**

Yes, a long time ago.

**Mr. Ferloc:**

If the law took effect and there's a penalty set forth, we should have the person who is in charge of the City County Building fined. That's all. Isn't a penalty called for in the smoking ordinance for the signs to be posted? We are a public building just like the other buildings around town and if we're out of compliance then the department, or whoever is responsible in Public Safety, should initiate action against the City County Building. What's good for the goose is good for the gander.

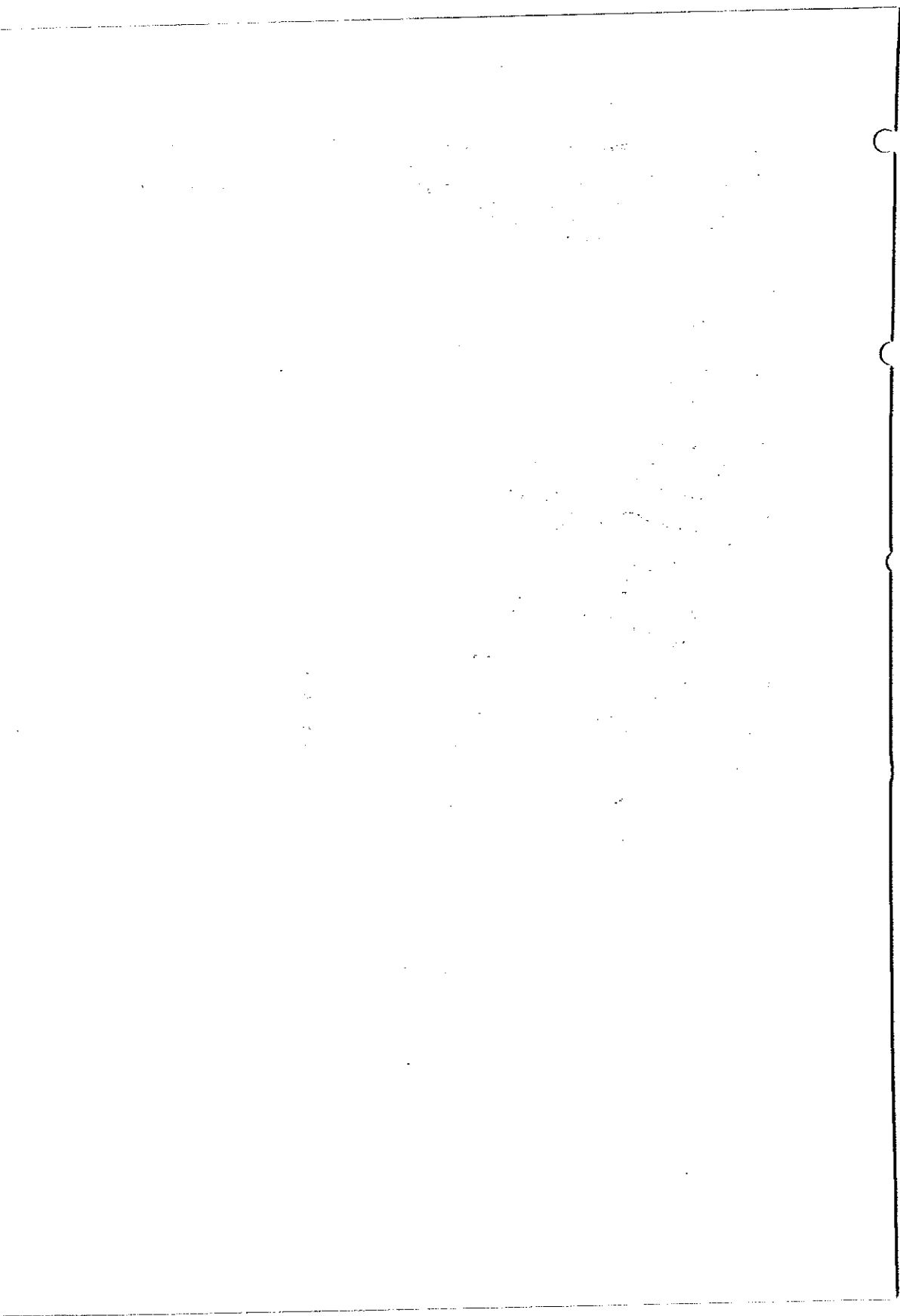
**Michelle Madoff** moved to approve the Minutes of Monday, February 29, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, March 21, 1988

No. 12

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, March 21, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne:

Could I have Fr. Ronald Lengwin from the Diocese of Pittsburgh please come up.

##### Mr. Coyne presents

No. 438 WHEREAS, this week, The Most Reverend Bishop Donald W. Wuerl, S.T.D., D.D., will be formally installed as the Bishop of the Diocese of Pittsburgh; and

WHEREAS, Bishop Wuerl was born on November 12, 1940 in the City of Pittsburgh, was raised in Mount Washington, and attended Saint Mary of the Mount Grade School and High School; and

WHEREAS, Bishop Wuerl has served as the Assistant Pastor of Saint Rosalia in Greenfield, Chaplain of the University Catholic Club and Secretary to then Bishop of Pittsburgh, John Wright; and

WHEREAS, Bishop Wuerl served most recently as the Auxiliary Bishop of the Diocese of Seattle.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh does hereby congratulate Bishop Donald W. Wuerl, S.T.D., D.D., in this, the week of his installation as the eleventh Bishop of the Diocese of Pittsburgh; and

BE IT FURTHER RESOLVED, that we extend a warm and sincere "Welcome Home" to Bishop Wuerl.

Mr. Coyne moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

I'd like to present Father to give a little presentation for the Bishop. Thank you.

**Fr. Lengwin:**

Thank you very much. First of all, I'm honored to represent the Bishop. I'm no stranger to these Chambers but it's usually in another capacity.

We spoke with Bishop Wuerl this morning and he first of all expressed his regrets that he cannot be here, but he is at a meeting in Washington, D.C. and will not return home until tomorrow morning, I believe.

Secondly, he expresses his sincere gratitude for this resolution welcoming him home to Pittsburgh. As it states so clearly in here, he grew up in Pittsburgh, was educated in Pittsburgh, overlooked the City from Mount Washington, has always loved this City, and he says it's a special honor to be recognized by your neighbors, his fellow residents of the City of Pittsburgh. And he hopes, and we hope, that he'll be with us for a long time.

Thank you very much.

**The Chair:**

Thank you.

**Mr. Ferlo:**

I'd like Mr. Seda to please come up; Mrs. Lopez-Nix, Mr. Martinez.

**Mr. Ferlo presents:**

No. 439 WHEREAS, over 12,000 people of Hispanic origin live in Western

Pennsylvania; and

WHEREAS, the Hispanic community plays an important role in business, education, culture and other facets of life in Western Pennsylvania; and

WHEREAS, Governor Robert P. Casey appointed Wilfredo Seda as Director of the Governor's Council on the Hispanic community; and

WHEREAS, Mr. Seda brings a wealth of knowledge and practical experience to his position as an advocate for the Hispanic community in Pennsylvania; and

WHEREAS, Mr. Seda works with the 26-member Hispanic Council to formulate programs and policies addressing the economic and social needs of the Commonwealth's more than 300,000 Hispanic residents.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes Wilfredo Seda to Pittsburgh in recognition of the vital role the Hispanic community has played in the growth and development of Western Pennsylvania.

**Mr. Ferlo moved to adopt the resolution.**

**Mr. Lyons seconded the motion.**

Which motion prevailed.

**Mr. Ferlo:**

I'd like to introduce Mr. Seda and also Luci Lopez-Nix to make a brief comment. We also have Mr. Martinez from the Controller's Office, and Carmen Perez with the Spanish Forum.

**Mr. Seda:**

I want to thank Council for the resolution; thank you, Madam President and Councilmembers.

In October when Governor Casey appointed me to this position, he mentioned that I would be the chief advocate for the Hispanic community in the State of Pennsylvania which is growing, vibrant, very much alive. One of the main purposes for coming out to your City is to, number one, see the Pittsburgh Renaissance and be able to witness some of that, and secondly, to work very closely with the Hispanic community organizations that exist here in their effort to strengthen their role in this community to enhance their position in regards to being a greater contributor to the social economic and political life of this City.

I want to, again, thank you and be able to say that my office does the advocacy by doing research on Latino issues, policy development, policy advocacy, and also work with community based organizations and I think people here in Pittsburgh should be very proud that you have some very strong leaders in the Hispanic community here, and in different organizations; Dr. Ignacio Christlieb who is a world-reknown cardiologist here with the McGovern team; Tito Capobianco who is Director of the Pittsburgh Opera; Dr. Rolando Bonachea who is the Acting President of Duquesne; and Angel Jordan who is the Provost at Carnegie Mellon.

So, again, I want to thank you. And I also want to mention that two of our Councilpeople, Luci Lopez-Nix and also Lydia Dicio is with us also. Thank you.

**Mrs. Lopez-Nix:**

We really appreciate this welcome

to our Executive Director. We're so proud of Pittsburgh. Every time Lydia and I go to represent this section of the State in Harrisburg, we're always telling them how great Pittsburgh is. So, we thank you for your warm welcome.

**Mr. Ferlo:**

I want to say thank you and also note the participation of our own Deputy Clerk, Linda Johnson, in this Hispanic Forum and Organization.

**Michelle Madoff:**

And Carmen Gunther, my administrative aide.

**The Chair:**

Thank you.

**Michelle Madoff:**

May I please have Reverend Meekins, Vivian Harris, Juanita Taylor and Rosalie McGill come forward, please?

This resolution is honoring Women In Action.

**Michelle Madoff presents**

No. 440 WHEREAS, the Brushton United Methodist Church became an integrated church in 1958 and has played a significant role in the lives of its membership and the community; and

WHEREAS, Women In Action was formed as a support group working with youth organizations, sponsoring scholarships, and working with members of the community for the betterment of all its citizens; and

WHEREAS, on Saturday, March 26, 1988, the Women In Action, Juanita A.

Taylor, Chairperson and Vivian Harris, Co-Chairperson, of the Brushton United Methodist Church will host their annual prayer breakfast.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does honor the Women In Action for their community work and wish them well on the occasion of their Annual Prayer Breakfast.

Michelle Madoff moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Ms. Taylor:

On behalf of the Women In Action of Brushton United Methodist Church and to the Council here and to its President, we're grateful to accept this resolution. This will enhance our program for the youth and the young adults for our church in training and in leadership. Again, thank you.

The Chair:

Thank you.

Mr. Pollock presents

No. 441 WHEREAS, JAMES I. SMITH, III has been the Executive Director of the Allegheny County Bar Association since 1963; and

WHEREAS, JIM SMITH has the monumental responsibility of administering a professional association with more than 6,200 members and a staff of 17 persons, serving as Editor of three publications, providing more than 100 continuing legal education programs annually, a Lawyer's Referral Service and public outreach programs, and

operating an Audio-Visual Service, a Lawyer Placement Service, a Legal Secretarial Placement Service, a Paralegal Placement Service and TEL-LAW; and

WHEREAS, despite his ever-increasing duties, JIM SMITH has involved himself in such worthy causes as the Catholic Youth Association, the Jaycees, the Kiwanis Club, the Neighborhood Legal Services Association, the Legal Aid Society and the Notre Dame Club of Pittsburgh which he served as President in 1970 and 1971 and which honored him as its "Man of the Year" in 1972; and

WHEREAS, JIM SMITH has remained a devoted family man, a loving husband to his wife, Deborah, and a caring, giving father to 11 children; and

WHEREAS, JIM SMITH is a giant of a man and it is not his height of nearly 6 1/2 feet that makes him thus, but his total commitment to serving the community, to developing one of the finest bar associations in the nation, to providing the highest quality of legal services, to working to obtain the most qualified judiciary and to ensuring justice for the people of Allegheny County; and

WHEREAS, on March 19, 1988 the Allegheny County Bar Association will be honoring JIM SMITH on the completion of his first 25 years as its Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends JIM SMITH on his 25th Anniversary as Executive Director of the Allegheny County Bar Association and, despite the fact that one Member of Council alleges that he smokes his cigars in City-County Building elevators in flagrant violation of the City Code,

declares March 19, 1988 as JIM SMITH DAY in the City of Pittsburgh as a means of honoring this uncommon man.

Mr. Pollock moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. Do you remember what I said I was going to do if you ran down the hall and tried to avoid a citizen's arrest? I'd hug you - when you leave I'll give you a hug - if you promise to give up cigarettes, cigars, in elevators. Do I have your commitment? Only in elevators.

Mr. Smith:

Absolutely.

Mr. Pollock:

Madam President, if I could just make one comment. We in Allegheny County are truly blessed to have Jim Smith here. It doesn't get said very often and it took this anniversary to really come out, but Jim is considered by Bar Associations across the country to be the finest Executive Director of a Bar Association in this nation. Representatives come from all across the land, in fact, other nations, to learn from him, to observe how we operate, and to gain guidance from Jim Smith. We're fortunate to have been able to keep him here. The programs that he had instituted that serve this community are phenomenal and he is truly, more than any other person in this County, dedicated to the cause of justice and to providing legal services to everybody and the most qualified judiciary that one could possibly imagine.

So, it's a great honor to have him here to accept this, and I present Jim Smith to you.

Mr. Smith:

Madam President, members of Council, this is a distinguished honor to have this day named for me. My wife and several of my children and my in-laws from the East are here. I'm sure that they're as pleased and thankful as I am for this award. It's been a privilege to have devoted 25 years to serving the lawyers of this great community.

We do have a special affiliation with you. As you know, our public service, our conference center is located on the ninth floor of this building and we were so pleased to be able to offer as many public service programs to the community to assist the low income who are rightful and deserving of all their legal rights.

So, on behalf of the 62,000 members of the Allegheny County Bar whom I represent, we are all very, very proud of your taking the time to devote a few minutes of your time to making this award presentation. I thank you very much.

Michelle Madoff:

Your wife knows this is only a sisterly hug.

The Chair:

Thank you.

Mr. Wagner:

Madam President and members of Council, I'd like to ask Jim Mushinsky to please step forward and to receive this resolution on behalf of Fred Zangaro who couldn't make it here today. Jim is a

good friend and is also a member of Boilermakers Local 154.

**Mr. Wagner presents**

No. 442 WHEREAS, Fred G. Zangaro has been inducted into the American Football Association Minor League Football Hall of Fame in honor of his achievements in the sport of football; and

WHEREAS, Mr. Zangaro's football playing career, which was highlighted in high school, military service, college and semi-pro ball, ran from 1941 until 1967; and

WHEREAS, during that time period Mr. Zangaro was selected as First Team All City from Oliver High School, was team captain and All Conference during his service time, received a scholarship to the University of Louisville where he played with John Unitas, and was later reunited with Mr. Unitas while playing for the Bloomfield Rams, winning the league championship in 1955; and

WHEREAS, Mr. Zangaro's playing career ended in 1967 but his dedication to the sport did not as he remained active as a coach and presently is an official in football, basketball, volleyball and softball.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Fred G. Zangaro, a 5'7", 200 lb. linebacker, for his induction into the Minor League Football Hall of Fame and commend his dedication to sports as a player, coach and official, and his many contributions made to the City of Pittsburgh

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I'd like to again introduce Jim Mushinsky, a good friend, to say a few words for Fred Zangaro.

**Mr. Mushinsky:**

Madam President and Council, especially Jack Wagner, I want to thank you for this resolution because I grew up with the man and I played ball with the man and I know what his capabilities are and still in discipline with others. And to be a leader like him and to go on even now in his late '50s to work with young children and grown boys and women and keep them on the right side of the law and keep them disciplined in their life throughout, I can say nothing else but with people like him around, Jack, you don't need a sign to say no to drugs. Freddie does it all. Thank you.

**The Chair:**

Thank you.

**Mr. Coyne presented**

No. 369 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for supplies, materials and/or services for the Department of Parks and Recreation at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account PR 88-07, Major Repairs and Emergencies, Department of Parks and Recreation.

Also,

No. 370 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust For Cultural Resources



for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 371 Resolution providing for an Agreement or Agreements with the River City Brass Band for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 372 Resolution providing for an Agreement or Agreements with the University of Pittsburgh for furnishing professional services in connection with the Three Rivers Shakespeare Festival for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$25,100.00, (\$18,600.00) shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation, (\$6,500.00) shall be chargeable to and payable from the Special Parks Program Trust Fund (SPPTF, 254359).

Also,

No. 373 Resolution providing for an Agreement or Agreements with Catalyst Marketing and Advertising for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account PZMTF

(253757) Pittsburgh Zoo, Department of Parks and Recreation.

Also,

No. 374 Resolution providing for an Agreement or Agreements with the Sounds of Heritage for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 375 Resolution providing for an Agreement or Agreements with the Uptown Athletic Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 376 Resolution providing for an Agreement or Agreements with the Springview Athletic Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 377 Resolution providing for an Agreement or Agreements with the Lincoln Place Youth Athletic Association for furnishing professional services for

the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 378 Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 379 Resolution providing for an Agreement or Agreements with the Homewood Brushton Baseball Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 380 Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 381 Resolution providing for an Agreement or Agreements with the Lower Hill Outreach YMCA for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 382 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 383 Resolution providing for an Agreement or Agreements with the Crafton Heights Community Council for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 384 Resolution providing for an Agreement or Agreements with the Champions Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806)

Miscellaneous Services, Recreation,  
Department of Parks and Recreation.

Also,

No. 385 Resolution providing for an Agreement or Agreements with the Greenfield Baseball Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 386 Resolution providing for an Agreement or Agreements with Sharing and Caring for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 387 Resolution providing for an Agreement or Agreements with the Uptown Little League for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 388 Resolution providing for an Agreement or Agreements with the Uptown Football Association for furnishing professional services for the benefit of the residents of the City of

Pittsburgh during 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 389 Resolution providing for an Agreement or Agreements with Robert Morris College for furnishing professional services in connection with the Pittsburgh Folk Festival for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 390 Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 391 Resolution providing for an Agreement or Agreements with the Brashear Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 392 Resolution providing for an Agreement or Agreements with the Pittsburgh Youth Symphony for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 393 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 394 Resolution providing for an Agreement or Agreements with the Pittsburgh Dance Council for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation.

Also,

No. 395 Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation,

Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Ferlo presented**

No. 396 Resolution providing for an issuance of a warrant in favor of the American Water Works Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, in the amount of \$18,000.00 in payment for an annual subscription to the AWWA Research Foundation, chargeable to and payable from Code Account 1922 (192203), Miscellaneous Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Finance.

**Mr. Lyons presented**

No. 398 Resolution amending Resolution No. 225, effective March 13, 1987, entitled: "Resolution providing for an Agreement or Agreements with the Bidwell Music Center for the purchase of computer equipment for training of low/moderate income persons, in an amount not to exceed \$40,000.00," so as to pay for the purchase of computer equipment and salaries of computer instructors." Chargeable to and payable from the 1987 Community Development Block Grant Program - City Council - Bidwell Music Center (CC-87-21).

Also,

No. 399 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$35,000.00 of excess grant funds and interest from the Clifton Park Project R-440 for a Contract with North Side Tenants reorganization.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills was introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 400 Resolution further amending Resolution No. 1187, effective December 29, 1986, as amended, entitled: "Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program", by decreasing line item Allegheny Commons Park Lighting (EC 87-37) (-\$100,000.00); and adjusting the Summary Totals for the Department of Engineering and Construction. This Resolution is part of a package of companion legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding.

Also,

No. 401 Resolution further amending Resolution No. 1094, effective December 31, 1987, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program", by decreasing line item Rehab Existing Play Areas (EC 88-40) (-\$47,600.32) and adjusting the Summary

Totals for the Department of Engineering and Construction. This Resolution is part of a package of companion legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding.

Also,

No. 402 Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled: "Resolution adopting and approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program", and approving the 1985 through 1990 Capital Improvement Program; by increasing line item "Disallowed CDBG Costs" (UR 85-29) and adjusting the Summary Totals of the URA. This Resolution is part of a package of companion legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding.

Also,

No. 403 Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 402 and 1144 of 1982; by Resolution No. 933 of 1983; by Resolution No. 102 of 1986; and by Resolution No. 1030 of 1987, entitled: "Approving the submission and budget for the 1982 Community Development Block Grant Program", by decreasing a line item in the URA (Small - Minority Business Revolving Loan Fund) HR-82-20, (-\$147,600.32) and further adding line items to the Department of Engineering and Construction (Play Area Rehabilitation) EC-82-03 (+\$47,600.32); and Leslie Recreation Center, EC 82-04 (+\$100,000.00). This Resolution is the final piece in a package of companion

legislation that provides for the "Pay-back of Disallowed CDBG Costs" to the Department of HUD for a prior year program monitor/audit finding.

Also,

No. 404 Resolution providing for an Agreement or Agreements for professional auditing services in connection with the Community Development Block Grant Program - Third Party Contracts.

Also,

No. 405 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Oakland Planning and Development Corporation for an amount not to exceed \$20,000.00, payable from the Neighborhood Housing Fund for curb improvements and sidewalk improvements to facilitate the residential development at Dawson and Swineburne Streets in the 4th Ward of the City of Pittsburgh.

Also,

No. 406 Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and the Oakland Planning and Development Corporation in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of eleven (11) single family units to be constructed in the 4th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The redeveloper will construct sixty-four (64) single family units in the 4th Ward of the City of Pittsburgh. Financial assistance will be available to the purchasers of eleven (11) of these units under the terms and conditions of the Neighborhood Housing Program. The

redeveloper is a Pennsylvania corporation. The officer is Sandra L. Phillips, Executive Director. The address of the corporation is 231 Oakland Avenue, Pittsburgh, PA 15213.

Also,

No. 407 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$75,000.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program. The application is in conjunction with the conversion of the Corpus Christi School located in the 1500 block of Lincoln Avenue in Lincoln-Lemington.

Also,

No. 408 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$250,000.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program. The application is in conjunction with the conversion of the Corpus Christi School located in the 1500 block of Lincoln Avenue in Lincoln-Lemington.

Also,

No. 409 Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$250,000.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania

Department of Community Affairs. The application is in conjunction with the conversion of the Corpus Christi School located in the 1500 block of Lincoln Avenue in Lincoln-Lemington.

Also,

No. 410 Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$75,000.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. The application is in conjunction with the conversion of the Corpus Christi School located in the 1500 block of Lincoln Avenue in Lincoln-Lemington.

Also,

No. 411 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$200,000.00 of Gateway Clipper Urban Development Action Grant Repayment Funds for the Neighborhood Economic Development Investment Fund and allocation of Neighborhood Economic Development Investment Funds for reopening of neighborhood retail food stores in neighborhoods adversely affected by the closing of community supermarkets.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 397 Communication from J. Thomas Bruecken, Deputy Director, Department of Water, requesting

authorization for Raymond Wisloski and David Kearney to attend the joint meeting of New Jersey/Pennsylvania technical session of the American Water Works Association, Atlantic City, New Jersey, April 12-15, 1988, at a cost not to exceed \$1,500.00, payable from Code Account No. 1922, Miscellaneous Services, Department of Water. This session is divided into two segments covering essential aspects of the water industry. Mr. Wisloski can be on hand to monitor sessions pertaining to the best available technology for drinking water and health effects. Mr. Kearney can be on hand for treatment and preventive maintenance sessions.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 412 Resolution providing for an Agreement or Agreements to provide funding for the Greater Pittsburgh Commission for Women at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Which was read and referred to the Committee on Finance.

Also,

No. 413 Resolution nominating the South Side Pittsburgh Works, LTV Steel Corporation to be a Historic site under Section 513 of Chapter 1007 of the Pittsburgh Code. —(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day

following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 414 Resolution providing for the issuance of two warrants in the amounts of \$9,795.50 to John M. Kish, Attorney for Elizabeth Grim, Rose Marie Hines, Betty Lou Dorfner and Frank Dorfner and \$1,500.00 to Kish, Kish, & Yarsky in full settlement of the claims of unlawful taking of property filed at GD 82-01163, GD 01164, and GD 82-01165, payable from Code Account No. 46, Judgments.

Also,

No. 415 Resolution providing for an Agreement or Agreements with P.B.A., Inc. The Second Step for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1100 (110007) Miscellaneous Services, Department of Personnel and Civil Service. —(SPONSORED BY MR. POLLOCK)

Which were read and referred to the Committee on Finance.

Also,

No. 416 Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$13,000.00, chargeable to and payable

from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety. —(SPONSORED BY MR. POLLOCK)

Also,

No. 417 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety. —(SPONSORED BY MR. POLLOCK)

Also,

No. 418 Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$8,500.00, chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety. —(SPONSORED BY MR. POLLOCK)

Also,

No. 419 Resolution providing for an Agreement or Agreements with the Allegheny County Center for Victims of Violent Crimes for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety. —(SPONSORED BY MR. POLLOCK)

Which were severally read and referred to the Committee on Public Safety.



Also,

No. 420 Resolution providing for an Agreement or Agreements with Vintage, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. POLLOCK)

Also,

No. 421 Resolution providing for an Agreement or Agreements with the St. Clair Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. POLLOCK)

Also,

No. 422 Resolution providing for an Agreement or Agreements with the Welfare Rights Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. POLLOCK)

Also,

No. 423 Resolution providing for an Agreement or Agreements with the Project H.O.P.E., Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed

\$5,000.00, chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. POLLOCK)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 424 Resolution providing for an Agreement or Agreements with the Three Rivers Arts Festival for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1838, (183806) Miscellaneous Services, Department of Parks and Recreation. --(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Parks and Recreation.

Also;

No. 425 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for D'Ann Swanson to attend the Southwest School of Governmental Finance, Lubbock, Texas, May 14-19, 1988, at a cost not to exceed \$1,350.00, payable from Code Account No. 1017, Miscellaneous Services. This school is offered by Texas Tech University and is geared to professionals in the public finance sector. The school offers a number of sessions dealing with advanced budgeting and financial techniques as well as recent developments, issues, and management techniques as they relate to governmental finance.

Also,

No. 426 Communication from

Edward Walkowski, Manager, City Information Systems, requesting authorization for John Good and Ken Cheyne to attend classes at the Honeywell Bull Education Center in Reston, Virginia, April 10-20, 1988, at a cost not to exceed \$7,700.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems. It is necessary that City personnel be trained on software product TP8. This product will replace DMIV/TP which is the executive software that controls the following on-line systems: Traffic Court, Wage Tax, Controller's Appropriation System, Controller's Capital Project System, Payroll/Personnel, MIS, Capital Budget System, FAMIS, and the current on-line portion of the Payroll System. It is necessary to have two people attend this training course based on the current and future needs of City Information Systems' application development process. Two Data Base Administrators will be needed based on the current development of the Customer Utility Billing System and the Mayor's Service Center System which are both being developed under software product TP8.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 427 Communication from Councilman Jack Wagner, requesting authorization for Michael Brady and Carolyn Pilewski to attend the Municipal Recycling seminar in Wilkins Township, PA, March 23-25, 1988, at a cost not to exceed \$150.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, City Council.

Which was read and referred to the Committee on Public Safety.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 428 Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$897.43 in payment for rental equipment due for October, November, December 1987, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account 1401.

Which was read and referred to the Committee on Finance.

Also,

No. 429 Resolution amending Resolution No. 982, approved December 4, 1987, effective December 11, 1987, entitled: "Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh at a cost not to exceed \$42,896.00," by changing the Code Account from (DPSTPP) to Code Account 1421. Chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services, Code Account 1421.

Which was read and referred to the Committee on Public Safety.

**The Chair presented**

No. 430 Communication from George Charlton, Jr., Executive Director, Public Parking Authority of Pittsburgh, submitting the "1988 Public Parking Authority of Pittsburgh's Employees Position and Annual Salary Report."

Also,

No. 431 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the Market Value of Securities pledged as collateral by City Depositories as of January 31, 1988.

Which were read, received and filed.

**UNFINISHED BUSINESS**

**The Chair:**

I'd like to appoint a subcommittee to review the Rules of Council and make recommendations. The following members: Dan Pellegrini, Mark Pollock, Ben Woods and myself. And I will ask the members of Council to submit in writing any suggestions that they may have and we'll arrange to have meetings.

**Mr. Wagner:**

Madam President, one other item under Unfinished Business. You have received a letter and I have received a copy and this Council has had a public hearing on the proposed Mon Valley Expressway. At that public hearing which we had about three months ago, maybe four or five months ago, we asked the Pennsylvania Turnpike Commission to please let us know what their plans are. As of this date, as indicated in this letter, they have not notified the City or the Lincoln Place residents, or anyone

for that matter, in the 31st or 15th Wards.

I would like to formally ask that we send a letter to the Pennsylvania Turnpike Commission asking the status of the proposed highway that is to connect somewhere with the Parkway East. Is that highway going to run through the City of Pittsburgh.

Michelle Madoff seconded the motion.

Which motion prevailed.

**The Chair:**

Mr. Perry, will you see that that letter goes to the Pennsylvania Turnpike Commission?

**Mr. Perry:**

Yes.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 432

Report of the Committee on Finance for March 16, 1988 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 302

A Resolution entitled, "Resolution amending Ordinance No. 116, approved April 7, 1971, by authorizing the issuance of a warrant in favor of Louise R. Brown, Director, Department of Parks and Recreation, in the amount of Three

Hundred (\$300.00) Dollars, for the purpose of increasing the imprest fund at the Conservatory-Aviary to a total of Five Hundred (\$500.00) Dollars, said warrant to be chargeable to and payable from the Aviary Trust Fund (ATF, Index Code 250209) in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 303

A Resolution entitled, "Resolution transferring Fifty Thousand, Six Hundred Eighty-Nine Dollars, Thirty (\$50,689.30) Cents from the Special Summer Food Service Program Trust Fund (SSFSP, Index Code 270256) to the Special Parks Programs Trust Fund (SPPTF, 254359) in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 304

A Resolution entitled, "Resolution transferring \$50,000.00 from Code Account 1801, Miscellaneous Services, Index Code 180109, to the Swimming Pool Maintenance Trust Fund, Index Code 254334, in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 316

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of four hundred forty-one dollars and fifty-six cents (\$441.56) to return unexpended funds from the General Assistance Welfare Recipients Program Grant."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And there being two-thirds of the

votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 317

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a Work-Study program to help students integrate their educational program with work experience, and also providing clerical assistance to the Department of Personnel and Civil Service Commission; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 318

Resolution amending Resolution No. 1088, Item I, approved December 31, 1987, for sale of Lot - 20th Ward, 279 Rhode Island Avenue, Block and Lot 18-H-262, to Frank George, Jr. and Rose M. George (W) for \$2,500.00. Resolution is to add information missing from sale as previously described.

Which was read.

Also,

Bill No. 319

Resolution repealing Resolution 124-D, approved February 25, 1987 for sale of building, 12th Ward, 323 Lincoln Avenue, 125-A-118 to Gloria J. Germany for \$1,500.00. Resolution is to repeal sale and return hand money. City does not have a marketable title.

Which was read.

Also,

Bill No. 320

A Resolution entitled, "Resolution repealing resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 321

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 328

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code Title Four, Public Places and Property, Article II, Communications, Chapter 427, Private Communications Systems, Section 427.11 by addition of subsection (c)."

Which was read.

Also,

Bill No. 329

A Resolution entitled, "Resolution providing for the transfer of the Cable Communications System Franchise Agreement of October 31, 1984 with the City of Pittsburgh, from Pittsburgh Tele-Communications, Inc. to TCI of

Pennsylvania, Inc."

Which was read.

Also,

Bill No. 345

A Resolution entitled, "Resolution authorizing the Mayor on behalf of the City of Pittsburgh to enter into an Agreement or Agreements with the Greater Pittsburgh Convention and Visitors Bureau, Inc. and the David Lawrence Convention Center, and the Commission on Presidential Debates, a District of Columbia non-profit corporation, to enable said parties to produce and hold a debate in Pittsburgh during the 1988 general election campaign between Presidential or Vice-Presidential candidates."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 346

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Thousand One Hundred Ninety-Six Dollars and Seventy-Three Cents (\$1,196.73) to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1980 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Woods presented

Bill No. 433

Report of the Committee on Public Works for March 16, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 325

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 326

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 327

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 357

A Resolution entitled, "Resolution repealing Resolution No. 378, effective May 11, 1984, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for Miscellaneous Electrical Services for the renovation of the Second Avenue Substation and other structures within the Department of Public Works, and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 358

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a 3M Processor Camera for the Survey Division of the Department of Public Works and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 434

Report of the Committee on Planning, Housing and Development for March 16, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 311

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Development Training Institute, Inc., of Baltimore, Maryland, to conduct a four-day workshop on Community Economic Development in the City at a cost not to exceed \$3,600.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 435

Report of the Committee on General Services for March 16, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 274

A Resolution entitled, "Resolution providing for the letting of contracts and use of existing contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1989, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none



And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 276

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Madam President and members of Council, on Bill No. 276 regarding the GASCARD concept or contract with the Mon Valley Petroleum, I'd like to address several concerns that I have.

I continue in my opposition to the plan being submitted by the Administration, a plan that I feel will put several hundred gasoline credit cards into the hands of City employees. I think it was abundantly clear from the discussion and the debate at last Wednesday's Council session that the plan that was submitted was completely half-baked, not very well thought out. I think the plan lacks coordination with other City departments. The plan is costly. The plan is entirely unnecessary and it doesn't even achieve the stated purpose for which it was attended.

I agree with the need for emergency vehicles to have some access to gasoline in neighborhoods north and south of the rivers, without the need of personnel to leave their designated service areas. The GASCARD system, however, doesn't even address this issue. The City Council Budget Office calculates that the plan will increase

gasoline expenditures by some \$250,000. That is twice what the Administration originally suggested. I would argue that \$250,000 which is an increase over the budgeted amount is an amount of money that is the equivalent to the hiring of seven and one-half police officers. I believe those police officers could better be used in business corridors in Lawrenceville, in Bloomfield, in Hazelwood, North Side, and places throughout the City of Pittsburgh.

I believe, also, that the City will have no control whatsoever. Very clearly stated by the Department Director, we will have no control whatsoever over the price per gallon of gasoline we'll be paying with the GASCARD system at those GASCARD service stations. The GASCARD system, as was clear from the debate, provides only two stations which will be open 24 hours a day, 7 days a week and, in fact, these two gas stations fail to satisfy the original purpose of the GASCARD plan.

The opportunities for fraud and abuse are great and I would argue that the abuse rate is greater under this system than presently where we have the City gas being pumped by City workers. If this isn't the case, and if there is abuse at the gas pumps currently operated by the City, then I think it's the responsibility of the Administration to take corrective action.

I would ask Council to defeat this costly and half-baked plan for an alternative plan of using the new gas pumps that we own and that we operate through the Department of Public Works in addition to the 29th Street Station in Lawrenceville. These gas pumps, as I talked about last week, are well distributed throughout the City. They're brand new pumps; they're in Schenley Park in Oakland; they're in Herschel Field in the West End; they're in

Riverview Park in Brighton Heights and they're in McKinley Park in Beltzhoover.

We have already spent over \$150,000 in tax dollars. We've already expended over \$150,000 of taxpayers' money for the installation of these new gas pumps and the brand new gas tanks that were installed. I believe strongly that we should continue to buy gasoline at wholesale, bulk prices at 27 cents cheaper than the GASCARD system proposes. The gas pumps that are staffed by the Department of Public Works operate already eight hours a day. It is totally ludicrous to argue that there will be new expenditures of personnel time and I think that was an unfair estimate made by the Department Director. These are costs we've already incurred in the City budget. They're already operated eight hours a day. And in the winter months we've learned that they are staffed for three full shifts.

I believe it would be far cheaper and much more logical to have employees who are required to do limited work duty. We've already heard from the Administration that they are having a problem finding placements in the City workforce; people who are coming off of compensation have limited work duty. There are placements that are needed and I would argue that it's much more logical to have these individuals staff a second shift and operate the four gas pumps that I'm talking about. In addition to these gas pumps, as I've indicated, we have a full service, 24 hour operated gasoline station in the Strip District and 29th Street in Lawrenceville.

I'll just close by making the point that I'm sure many Councilmembers, in campaigning for public office — I know when I went door to door, I met a lot of people. I met one elderly woman down in Lawrenceville who said if I was fortunate enough to get elected to City Council,

and when I'm voting on expenditures and when I realize that when I'm voting on large sums of money, to keep her in mind. And this individual telling me that she's on a fixed income and when she goes to pay her yearly property taxes to the City, she has to be very thoughtful; she has to scrimp and she has to save. And she said that when I'm about the business of voting on major expenditures, I should think of the value of these expenditures and I should think of how she's going to spend that money. I would argue that the amount of money that we're talking about today, a half million dollars, is an amount of money that we should think about the thousands of other people in this City who are scrimping and saving and trying to support their families.

I would ask you, my colleagues, to please reconsider this plan and let's propose some of the alternatives that I've mentioned. I hope you will vote against this resolution. Thank you.

**Michelle Madoff:**

Madam President and members of Council and anybody in the public who has been following this fiasco, I am offended that the perception of a very well prepared, and I congratulate my colleague on his phraseology, his manner in which he presented a distorted picture of what actually has happened. If people are listening to that, listening to the statements made by Mr. Ferlo, it would appear that out of nine of us, he is the only one that understands and that we are going to vote, and I presume we're going to vote, in favor of the GASCARD bill simply because we're either committed to the Administration whom I've taken on on several occasions, or that we're rubber stamps and that we haven't looked at the facts. And the facts are not as they were presented by Mr. Ferlo; the facts are, and I don't want

to reiterate all the dialogue that we've had over and over again, but my understanding of how this all came into being, and I think a great deal of credit goes to Mr. Wagner who pointed out that it was ridiculous to have police officers, paramedics, any emergency vehicle traveling across our City, wasting sometimes, perhaps, two hours during rush hour, endangering somebody's life, and a life has a value, and that we ought to have available some mechanism for the purchasing of gasoline, fuel, at sources convenient to the vehicles round the clock.

It was further stated by Ms. Botsford, the Director of General Services, that in order to keep the present gas stations that belong to the City open, the sources of gas pumps, we would have to hire personnel at \$9 an hour. It would be wonderful if we could do what Mr. Ferlo wished to do, and I've been a proponent of that, just bring people back for light duty who cannot work, who are on workmen's comp. But we're mixing apples and oranges and grapes and pears and we're making fruit salad. The issue is really not, I would hope, to not confuse the issues but stick with the basic fundamental problem. The problem is that we need to provide, to save lives and to save money, a source of energy to our vehicles who need them. It was stated at least 20 times in at least 20 different ways by the Director that built into the system were protective and preventive methods to see that fraud was eliminated and certainly there would be no more of that than we have under the present system which really was in abuse in many cases where City employees had the use of cards to go to our own stations.

She sent us a letter, to the President and members of City Council, City of Pittsburgh. I'm not going to read the whole letter but I will read the

portion that I think really puts this dialogue into perspective. "All the figures and methodologies of our analysis are available for your review, and that's for the public to review, too, should you so desire. Additionally, it must be noted that it costs the City, at a very minimum, ten cents per gallon to pump our own fuel at our own sites, approximately 1.7 million gallons. This cost was not included in the bulk gasoline figure given to you previously. We recognize that the prices do and will continue to vary." You know, we have no control over what happens in the gas producing nations or imports, etc. "The Administration has attempted to project future cost as accurately as possible, not just show you past costs as the total program will be more extensive than the pilot program." Incidentally, remember, this is only an experimental program which can be stopped at any time. "We are in agreement that this program will cost the City actual increased dollars between \$125,000 and \$300,000 based on which analysis is used. But the bigger issue is the annual \$2.7 million savings in man-hours. Public Safety will have the equivalent of 72 more officers on the streets. As I stated Wednesday, we've reviewed all the alternatives suggested, plus some, and are convinced that this is the most cost efficient and effective program for the City of Pittsburgh. We will scrutinize this program closely and will provide you with the quarterly reports on usage and cost that you have requested."

And I think, really and truly, the implication that — You know, Mr. Ferlo may in the long run be proven correct; there may be an abuse of the program. But there's a program in effect that has had abuse. We need to try to improve the lot of the City and we need to try to improve the service. There's no question that we have a director who is qualified and she's listened to all our input and has

taken some of the advice. As a matter of fact, as I recall, Mr. Ferlo or Mr. Wagner, I'm not quite sure who, suggested that we should have nothing other than the actual fuel; there should not be any windshield wiper or oil or other things because that can be purchased in bulk at our stations and she was gracious enough to say, "You're right, I made a mistake; I took it out." And as other suggestions are made that improve the system, this is a bright, caring woman who is going to listen. But in her estimate and in her convincing me and the rest of the members of this Council in debate, it seems to me that she makes good argument for the system, she makes good argument for the fact that there are controls and if anybody tries to use the card that is not authorized, it will automatically lock out that card. I think there will be a severe penalty to that person who would attempt to abuse the privilege by using a card where the license plate doesn't match the card number. I think every conceivable attempt to make this a viable, responsible program has been taken and we cannot overlook the savings that are over \$2 million which is far greater than perhaps the \$300,000 that will be put out.

I urge my colleagues to support this bill and to vote for it.

**Mr. Wagner:**

I respectfully disagree with my colleague, Mr. Ferlo, on this issue. However, I would say that even in that disagreement, I think the debate has brought out a lot of good information, more precise information on this proposal. Originally, we talked about the estimate being approximately \$125,000 a year for the cost of the program; now we're talking, and our budget staff has given us some more data, where they're suggesting it will probably be about

\$250,000. Director Botsford is also saying, in her most recent letter to Council, March 18th, that it may be more than \$125,000 but it will be between \$125,000 and \$300,000, the cost.

So, I think the debate and the conversations and agreements and disagreements that have occurred have come up with some better data to support or not support the bill. I personally think the information is still good information, even if the cost is \$250,000 a year, and the reason being are some of the items that Councilwoman Madoff indicated. The benefit to the taxpayer of the City here is so real, particularly in the area of Public Safety, it will keep more of our people working on the streets. And when you go to the outlying areas of the City, like the Brighton Heights and the Sheradens and the Overbrooks and the Esplens and the Lincoln Place and the Homewood-Brushtons and even Greenfield and places like that, it's critical to keep these emergency vehicles in those respective areas.

When I first became Chairman of Public Safety two years ago and I was out riding with the various people in the different bureaus, they told me what they had to do to get gasoline. They had to go out of service and they had to go to the Strip District, from whatever area of the City they were in. If you ever want to see in reality what it's like, I suggest anyone to go down to the 911 center and listen to the cars and the emergency vehicles that go out of service to go get gasoline. It happens rather often over the radio, more so during the day than at night, but it happens rather often. It struck home with me one particular time, it was during the Shadyside Rapist situation. I was out with the detectives that evening in a vehicle and we were touring Shadyside; their gas was low and they said, "We have to go get gasoline."

So they went out of service for 45 minutes. They went to the Lawrenceville station to get gas. We waited in line, after a couple vehicles, got our gas and were back in Shadyside. That was 45 minutes later. But the point is that we're paying officers a good salary, we're paying paramedics a good salary, we're paying firefighters and squad vehicles good salaries to be in service, to be out there and to be available for eight hours; not for seven hours, not for seven hours and 15 minutes, but for eight hours in that respective district.

So, the return on our investment here is very significant, even if the cost up front is \$125,000, \$250,000 or \$300,000, because there is a very likely possibility that the lives of our citizens will depend on whether or not these emergency vehicles remain in their respective areas of the City.

So, I would strongly recommend that we move forward with this piece of legislation, even though everything isn't absolutely, positively certain that the system will work 100 percent. There's a little bit of a trial here, that's true. But the Director has indicated that she will provide us with quarterly update reports. But the bottom line still is that we will have more police officers, paramedics, firefighters and squad vehicles available in respective areas of the City, particularly due to the fact that we've had situations where we have not had people easily accessible in those areas in the last month or two. I think this piece of legislation is even more important because we must find every way possible to keep as many of our employees, particularly those in Public Safety, available to provide the necessary service to the public. So, I would suggest that we vote in the affirmative for Bill No. 276.

**Mr. Lyons:**

Madam President and Council, while we speak of a half million dollars we should speak of people when we go to spend our money.

Secondly, we have to think of what the Directors told us. While we'll get these gas stations around the City of Pittsburgh, we will be protecting life, we will be safeguarding life in the communities of the respective vehicles, the police, the emergencies, the fire people. They'll be in their district and very active. But more than that is that the \$2,700,000 that the City spends each year in dead man-hours, the people traveling back and forth to 29th Street to get their gas, will be abated very substantially. And it is in that area, too, that I see a great return to the City of Pittsburgh.

**Mr. DePasquale:**

Madam President, this is the fourth time we've roundly discussed this matter and I think we've said just about everything that could be possibly said. And if Council isn't ready to vote by now, they'll never be ready to vote, so I call for the question on it.

**The Chair:**

Everybody has had a chance that wants to speak and we will proceed on with the vote.

**Michelle Madoff:**

Madam President, I just want to clarify some that I said, if I may have the privilege briefly.

**Mr. Ferlo:**

I would like equal time if she's going to speak.

**The Chair:**

No more discussion on it. Everybody has had one chance to speak and we're going to vote on the bills. We've been around and around and around and nobody is going to speak twice on any issue anymore.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 8      NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 436

Report of the Committee on Parks and Recreation transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

**Bill No. 305**

A Resolution entitled, "Resolution providing for the establishment of the Department of Parks and Recreation Regional Swimming Pool Imprest Fund in the amount of Eight Hundred (\$800.00) Dollars."

Which was read.

**Mr. Ferlo:**

Madam President, on Bill No. 305, setting up a Swimming Pool Imprest Fund, as I indicated earlier in the year, I am totally opposed to the collection and implementation of any type of fee for children who swim in our swimming pools. So, I'm voting no on the creation of this fund for the collection of those fees.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7      NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 437

Report of the Committee on Engineering and Construction for March 16, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 307

A Resolution entitled, "Resolution further amending Resolution No. 922, effective September 26, 1980, as amended by Resolution No. 881, effective August 31, 1981, entitled, 'Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$3,288.53, from \$33,600.00 to \$30,311.47."

Which was read.

Also,

Bill No. 308

A Resolution entitled, "Resolution further amending Resolution No. 97, effective March 2, 1984, as amended by Resolution No. 376, effective May 8, 1986, as amended by Resolution No. 151, effective March 4, 1987, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof,' by decreasing the total project

allocation by \$6,836.34, from \$75,000.00 to \$68,163.66."

Which was read.

Also,

Bill No. 309

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for the Repair of Sidewalks and other work incidental thereto in various communities operated by the Housing Authority of the City of Pittsburgh (Bedford Dwellings); and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 309, I find it interesting that I do not see anywhere that the Director, Mr. McDermott, has hired a consultant to put in sidewalks. Previously, sidewalks were put in by General Services and they have a formula and a format and a design that has been effective. Traditionally, Mr. McDermott comes to us and says, "We have to have a consultant to tell us how to put sidewalks in." But here's an example of sidewalks being put in, to my knowledge -- That's what we're doing on Mount Washington, we're repairing, but he needs a consultant.

But the point I'm making, this is on the Housing Authority and the Housing Authority, and I asked the question of Mr. McDermott, why are we doing any work for the Housing Authority. He said, "Because our garbage trucks have damaged the sidewalks so we're repairing, supposedly, the damage we did at the Housing Authority."

Now, I know that the Housing

Authority awards its own contracts and I would be very interested, and I mentioned this in Council previously, at having a public hearing, having Mr. Pietragallo and members of the funding sources, I don't know from what sources they would be, but I would like to know how the bids are put out, who gets the bids, I'd like to know who the people are who get the bids. I'd like a list of the same people, if they're the same people over and over again, how they determine cost, and I'd ask to have a public hearing. What that ever scheduled, Mr. Perry?

**Mr. Perry:**

No it wasn't.

**Michelle Madoff:**

But you know I did ask for it, and I asked for it on Wednesday. I wanted to be sure --

**Mr. Perry:**

You were supposed to make a motion today.

**Michelle Madoff:**

But I just wanted to be sure that in case I had not done it in the proper format that I was doing it today, and that I thank you, President of Council, for scheduling it.

My motion is that we need to know, we're talking about millions of dollars every year that are spent -- As a matter of fact, I believe our Controller wanted to do an audit; we're talking about performance audit, we're talking about contracts. I don't know how that vote went down and what's actually happening on that at this point, but I personally think that that's such a major expenditure of taxpayers' dollars that I

would like to know how the monies are being spent, who gets the contracts, how they're awarded, because we're talking about substantive dollars and I'm respectfully asking that we schedule a hearing for that.

**The Chair:**

All in favor? Opposed?

**Mr. Lyons:**

Opposed.

WHICH MOTION PREVAILED.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mrs. Masloff    |
|                | (Pres't)        |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 338

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and Patrick Media Group,



Inc., for the payment of costs sustained by the latter upon the removal and installation of its billboard in connection with the construction of public sanitary sewer improvements on, over, across, under and through certain property owned by the POA Company, along Banksville Road near the Parkway West inbound lanes in the 20th Ward, City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 339

A Resolution entitled, "Resolution providing for the purchase from POA Company for public sanitary sewer improvements of an easement on, over, across, under and through certain property along Banksville Road near the Parkway West inbound lanes in the 20th Ward of the City of Pittsburgh designated as Block No. 16A, Lot No. 300, for \$4,500.00; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Mr. DePasquale, on these two bills, they're confusing the issue of POA, which stands for Pittsburgh Outdoor Advertising which is now owned by Henry Posner and not by Jim Roddey, and Patrick Media Group. They're two bodies that are sharing these dollars. If you may recall, and there's a transcript, I asked Mr. McDermott how he arrived at these dollars. One bill has, I believe, almost \$13,000 and the other one has almost \$4,500. We're talking about something like \$18,000 or \$19,000. And I wanted to know, what are these dollars for. You know, we want to put a sanitary sewer line through and Mr.

McDermott said that he didn't know how these dollars were arrived at. Sophie Masloff informs me that you can buy a billboard for something like \$500 a month. Presumably the money that we're paying them is to subsidize them for the inconvenience of having to take their signs down. Now, there may be, and I spoke to Danny Pellegrini, money in actually taking down the sign and putting it back up.

But the thing I'm confused about is that Mr. McDermott didn't know how the numbers were arrived at. I called Mr. Pellegrini figuring it was done in the Law Department. He didn't know how it was done; he said Mr. McDermott did it.

I suggest we put the bills back in Committee and find out why we're spending \$12,800 and \$4,500 to reimburse Pittsburgh Outdoor Advertising and Patrick Media, and I may vote for it when I know how they arrived at the figure. I don't think we should vote without knowing.

**Mr. DePasquale:**

In all fairness, I have no problem with it going back to Committee with the exception that I thought Mr. McDermott explained it rather well the other day. It's an obligation that we owe Patrick Media for the cost that they assumed in regards to moving the signs or removing the signs and the loss of rental or whatever. All factors involved, it was mutually agreed by the City of Pittsburgh and by Patrick Media, \$12,000 or whatever. There was never any question as to whether they should have gotten it or shouldn't have gotten it. Once they agreed on that figure, that was it. I don't know what purpose putting it back in Committee would serve but I have no problem with it.

**Michelle Madoff:**

I think you didn't hear my question. My question was, who negotiated the price? Mr. McDermott said he didn't do it and Mr. Pellegrini said he didn't do it. I want to know how we arrived at these dollars and for what purpose? Is it to take the signs down for one month to put the sewer in? Is it because we had to take them down and put them up? What is the cost of taking them down and putting them up? What would somebody charge to take them down and put them up? Could we do it in-house in the City? I just want to know how we arrived at these numbers.

I made the motion to recommit these two bills.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Madam President, I have two items; one of tremendous magnitude and one that's just something that is Council business. I'll take the important one first, if I may, and I will allow anyone to interact and then I will take the second one, because that was your decision, that the person would not relinquish the floor but we would stop at each item if anyone had any input.

Less than two weeks ago I was invited to tour the Hill District on Trent Street to take a look at an appalling sight. The sight was hypodermics that without questions, and we checked with the Board of Health, may contain the AIDS virus but certainly have Hepatitis, perhaps Hepatitis B. Lying on the ground were hundreds, not dozens,

hundreds and hundreds of balloons that originally contained, I guess, cocaine or whatever the drugs were for injection, and also, perhaps a hundred hypodermic needles.

On the same street were dozens of children and within two blocks is a public school where these children go to school and the parents perhaps go to work and the children walk along together. And what mother, being the mother of a daughter and a child, was to be terrified if she walked down the steps with a pencil and she might trip, what mother can quickly move to stop her child from picking up a hypodermic needle in the street? There are dogs, there are cats, probably from low income families, and the dogs and cats probably haven't even had their injections to prevent them from spreading disease. There were houses with children in the window; we knocked on doors and the parents said, "I don't let my children out of the house. My children do not play outside; I removed them from the street."

There were approximately five houses on the street - and I'm sure other people have been on the Hill and Mr. Lyons probably knows the street better, people have been up to visit, there were probably five houses that are not in disrepair, that people have taken pride and have maintained those houses. The rest of it is a garbage dump. I will tell you that the City garbage dump, or going out to Chambers Landfill which is a sanitary landfill, is cleaner than that street is. That is a garbage dump; nobody should have to live in such filth and squalor.

We knocked on doors and we talked to people, and I learned a new expression. I always thought a shooting gallery was somewhere in an amusement park that you tested your skill in marksmanship. Do you know what a

shooting gallery is? Homes on the street that sell drugs. The police know they're selling drugs, and they come in and they try to do something, try to arrest the people and stop the sale, and these people, when they are arrested are back out on the streets. And in those houses there are children living. I went into one of those houses and I didn't want to touch anything; there was vermin crawling on the walls. There are back alleys up the street; the addicts come to the back alleys.

While we were on the street, in broad daylight, it was a cold, damp, drizzly day, about 5:30 at night, cars, mostly with out of town license plates, were driving by, brazenly, probably going to the three shooting galleries in one block. Three in one block. And maybe five homes were people live in some semblance of lifestyle that everyone would like to live in. These people bought their homes many, many years ago and they're trapped; they can't leave. Where are they going to go? Who is going to buy a house with three shooting galleries on the street? Who is going to buy a house where you have hypodermics lying on the street with viruses and with infection? Who is going to buy a house when you see the drugs, the litter, on the street and the garbage on the lots? And there's no maintenance of that part of the City.

In talking to the people I have learned, and in talking to some of the police officers privately, that one of the problems that we've had is that if you send a police officer to the area to monitor and sort of scare the people out of the area, they just go to the next block. But they've also done abominable things like riding over a police officer's foot, harrasing police officers out of the area, terrifying our police officers. Obviously, the answer is that we must send our police officers up with

protection in two's and with dogs that are capable of scenting out or smelling out the drugs.

But more important, I understand that years ago, I believe it was under the Flaherty Administration, we had crime squads. I just asked Mr. Lyons about them and he said they were called crime squads where you went in with a battalion of police officers and you stayed there and you cleaned up the area. But even beyond that, if you were asking for a recommendation, and I speak only for myself, as a mother and someone who cares about people, and I think we all do, I think we ought to take the four or five people who live in the houses, compensate them so they can go and live in areas that are liveable, equal to their own homes. We do that when we take land by eminent domain, highways. Relocate the four or five families and level that whole area so there is not a shooting gallery on the street and certainly not three of them.

This is something that we cannot close our eyes to and I would like to suggest that those members of Council who've had a special interest, I think Jack Wagner and others, in doing something about the drug problem of our City because it doesn't affect only those who have to live in that squalor on the hill, but those who don't have come to where they do have, and it is a very sad scene. Most of the crimes in our nation are committed by people who are addicted to drugs. And, of course, if we took Noriega and Panama and hung them by the toes, I wouldn't be very unhappy. It is a very sad commentary. No child should have to live, no woman without a husband who is the head of a family should have to live, and no human being should have to live in that kind of squalor.

I call upon this Council to write a

letter to the Mayor, to write a letter to Mr. Pampena and Mr. Cannon, to meet with us to discuss what we can do to correct this horrendous, horrendous problem. And I make that in the form of a motion and I hope someone will second it.

**Mr. Ferlo** seconded the motion.

**The Chair:**

Michelle, that particular street has been zeroed in on the news for the last week. One of those houses that was a shooting gallery was owned by a minister of one of the churches.

**Michelle Madoff:**

I don't care if he was a rabbi.

**The Chair:**

I know; I don't care what he is either. He said that he didn't know it was a shooting gallery because he rented to two people who needed a roof over their heads. But, as I understand it, and from what I've been reading, they have been zeroing in on that area and they have been cleaning it up in the last week because it's been in the news.

**Michelle Madoff:**

Sophie, I'll take you up there and show you the street, and you tell me if anybody has zeroed in on it, and see if there's a policeman in sight. And you know what? It's right near the police station; it's a block away. The police are terrified, justifiably so because their lives are in danger.

**Mr. Wagner:**

Madam President, in response, there is a problem there; there's no doubt about it. The narcotics detectives and

the police have made a couple busts in the last couple weeks. Hopefully they'll make more if the problem persists. However, there is a problem with refuse that has been thrown on the streets. A week and a half ago I contacted Director Gaetano; the following morning he had some Public Works people out there cleaning it up. Since that time, there has been additional refuse in the form of needles and balloons and other paraphernalia used in drugs and narcotics that has been found in the same location. It obviously is a hot spot for narcotics and yes, we need to devote more attention to it but we need to do a whole lot of things. I think the problem that Councilwoman Madoff is referring to, though, is a public health problem in addition to the narcotics problem with the potential of AIDS and other diseases related to the drug paraphernalia that has been found in public places.

All I can say is that in the area of Public Safety, we're trying to do as much as we can. I agree, if there's a need we should have people evicted from homes, we should have demolition proceedings, if that's possible, in areas like that if those areas are continual hot spots. But in the narcotics area, we have doubled the number of narcotic agents, as all of you know, narcotics detectives, to address that problem in the City of Pittsburgh. It's just not a City problem; it's everywhere in this country. However, we can still do more, I believe, and I, for one, have tried to get Public Safety to put more and more emphasis on it. They have. We've ordered a couple surveillance vans for narcotics; they're still not completed but hopefully they will be in use. That will be another additional item in terms of tracking down people involved in drugs. I'd like to see more canines trained in the sniffing of drugs and, obviously, I'd like to see more education going on in the schools, both public and private.

It's a massive problem. Zeroing in on this particular area, I think, is good. But at the same time, the problem is everywhere in this Country. And in my opinion, it's the number one internal problem in America. We are getting very little help at the federal level. I think all of you remember when the President came out about a year and a half ago on the Just Say No To Drugs campaign, bills were passed in Congress to allocate a half billion dollars to fight narcotics. Still to this date, none of those dollars have reached the cities. We need more help at the federal level, at the state level, and also at the local level.

**Mr. Ferlo:**

I'll just be very brief. First of all, I want to thank Michelle for bringing up the issue of the Trent Street shooting gallery. But I think if we're honest with ourselves, as Councilman Wagner pointed out, we could probably find a Trent Street in every neighborhood throughout the City of Pittsburgh. That's an unfortunate situation and I feel very strongly that on-street drug trafficking, unfortunately, has increased in this City. I can take you to Second Avenue in Hazelwood, I can take you to places in Lawrenceville. In fact, probably in half of the business corridors throughout the City of Pittsburgh there is on-street drug trafficking.

What I would like to ask, and I wanted clarification from Michelle, I think what she's trying to get at maybe is not just a question of a communication to the Administration, but it's my understanding that there has been in existence some type of a drug task force in this City. Councilman Wagner mentioned a number of things that have happened over the last few years, of doubling the number of narcotics agents, etc. I would like to see some type of a

public hearing to review the efficiency or the activities of this task force and talk generally about what kinds of progress they're making. I think it's a problem, obviously, that affects pretty much every neighborhood throughout the City of Pittsburgh and if we wanted to go looking for Trent Streets we could find them throughout the City of Pittsburgh. I think it's a problem of a lack of leadership in the City, quite frankly, and I would ask not that we have a letter or a communication from the Administration, but that we have some type of a public hearing.

I know I got a call from a gentleman in Hazelwood the other night and that was one problem that he was facing. We heard a public hearing a month ago from citizens in Lawrenceville about on-street drug trafficking down at the bottom of Stanton Avenue. I would ask that clarifying Michelle's point, that we have a formal public hearing on this issue and try to get down to the issues and afford the opportunity of community representatives to meet also.

**Michelle Madoff:**

Madam President, speaking for myself, since I brought the issue up, we cannot throw up our hands and say this is a problem that's everywhere. The greatest hypocrisy in the world is Nancy Reagan saying Just Say No To Drugs, and the President not doing very much about Panama, as far as I'm concerned, and doing business with the people and the countries that provide the drugs for our country.

What I want to see happen, and I will be very specific, I want to meet with the Safety Directors, Mr. Wagner; he chairs this committee. I want to meet with a representative of the Mayor and I don't care if it means putting tenfold the

investment we have into our narcotics control. We have to do it. And do you know why we have to do it? Because it's going to be the best money we ever spent. The greatest burden and cost to this City in crime is created by people on drugs and people who have a drug habit. It will be the biggest bargain we'll ever have if we concentrate on getting rid of the problem of narcotics. I know we're not going to eradicate it; I'm not stupid. I know it's an on-going problem worldwide, but we have to make this a community that will understand if you want to deal in drugs go to Ohio or go to some other place. I don't mean Ohio; I'm not trying to offend Ohio. Just get out of our City; we're not going to allow it. And if it takes a referendum question on the ballot that says to our community, are you willing to pay X more dollars a year to have enough police officers — That's why the bill we voted on today on GASCARD is so important, because we're talking about the equivalent of 72 more police officers being out there to work. We need to have teams of police officers; we need more police officers. We know the Administration has said we need more police officers and they're in the process of trying to give them to us and we're getting more classes. But this must be accelerated and we cannot stop and throw our hands up and say, "Gee, it's a problem but we can't solve it" because we must do something to make a tremendous dent in this problem and we have to do it with the school systems as well.

**Mr. Wagner:**

I have one last comment here, if I may. The issue of narcotics, for anyone here to believe that you can address that problem with a very limited amount of time and people, you're fooling yourself. I have thousands of hours in Public Safety working on this problem. I have a six-page report in the office that

was done two years ago suggesting many things to be done, one of which was a task force that really is not in existence. And I'll say that publicly. Everyone has their own little groups that are working on the problem, but there's no major task force on the problem. It takes Federal people, it takes State people, it takes County people, it takes City people. The City is devoting more effort and more money to this problem than anyone is locally, at the present time. We have 24 full-time narcotics detectives; there's no municipality around the City that has one. We have people working on it full-time. There have been recent arrests of people that have been convicted; you've all read about them in the newspaper and I'm not going to mention them. Our people within the City are doing a good job in that area. They truly are. And we've devoted more money towards buying narcotics; that budget has been doubled. In the budget two years ago we've gotten equipment.

We still need to do some more things but a meeting with me, Councilwoman Madoff, isn't enough. This takes a constant daily activity on your part and on everyone's part. My number one recommendation in my report two years ago was that every elected official at all levels of government carry this burden, should carry this burden more so than anyone. Not the police; I'm talking about the Council, the Mayor, the Commissioners, the State Legislators, the School Board elected officials. They're the people that have to get more involved in this problem. If this problem is going to be attacked, it has to be attacked on all levels, by all entities of government.

**Michelle Madoff:**

Especially our judges: let's take them on a tour.

**Mr. Wagner:**

You're right, including the judicial system that is too light on people that are caught with narcotics. Too much leniency is granted there. We have to build more jails if we have to. But the problem has to be address at all levels. This is a massive problem in our society, not just in the City of Pittsburgh. As a matter of fact, it hasn't hit the City of Pittsburgh the way its hit other cities. And if you read the New York Times and you read some other newspapers and see how massive the problem is, the Mayor of New York City just recently extended his narcotics people from, I believe, 25 or 30 to 125. And he still isn't going to put a dent in the problem. But it has to go on at all levels, most importantly in the educational area.

**Michelle Madoff:**

Madam President, specifically, I would like to see a tour; this Council and the Police together at the same time. I want to invite the judiciary to join us on that tour; I want the judges to see what those people are living in.

And with all due respect to my colleague, Mr. Ferlo, there's no question, I get calls, that in a back alley in Brookline you'll see the occasional hypodermic needle or you'll see it in Squirrel Hill or you'll see it in Shadyside. I'm not talking about the occasional; I'm talking about something nobody can believe until you've been there and seen it. You cannot walk down the street without hundreds of hypodermic needles and hundreds and hundreds of balloons where you've had drugs. We're talking about something entirely different. The problem is universal but we must address the greatest festering cancer immediately and we cannot let it fester any longer.

I want to get a letter out inviting everybody on that tour, Mr. Perry, the judiciary, the Police Department, the Commissioners if they want to come, the Mayor's Office, and every member of this Council. And I want you to see what I've seen with your own eyes and then you will feel differently. It's like the time we were trying to clean up the coke ovens and the head of the State Department of Environmental Resources couldn't believe it until he heard Foerster say it's like hell on earth. And it wasn't until he toured the Clairton Coke Works that he understood it. You don't feel a cut on somebody else's hand; you have to go and be there and feel it and see it.

**Mr. Lyons:**

I would like to say this in closing. Where does the trafficking of narcotics begin? At one time it was thought it was only among the poor and the black. But you need money. Narcotics trafficking is everywhere. As recent as last week you saw that an educator was found who had 30 years of services teaching school trafficking narcotics. Certainly we need to expound the police department, narcotics agents.

And further, we need to inform the people to tell where the people are. In the first place they're telling you that they're guilty too that do not use it; when they know where it is, they won't tell you because they have fear for their own self and their children. Last month when we had a public hearing here on February 9th, we had several people in upper Lawrenceville that were saying, "Sure, I know where narcotics are but if I tell, then I suffer reprisal." We have to overcome this and I think everybody should be involved.

Not too long ago, within the last month, we had a fireman caught in a

shooting gallery. Certainly, you don't know who to look for but I know we need to increase our efforts to write this Sodom and Gomorrah condition out that exists in our cities.

And certainly, as Michelle has previously said, the four or five innocent families on Trent Street, if it were possible by eminent domain to remove them somewhere where they would have a decent and a whole quality of life — There cannot be too much exhausted here again, for the safety of our children and our society in Pittsburgh.

#### **The Chair:**

Okay, that issue is closed.

#### **Mr. Ferlo:**

Point of clarification. We went from a letter to the Mayor, a public hearing, and Michelle is suggesting a tour. I'm for any and all of those; I just want to be clear on what the action was.

#### **Michelle Madoff:**

All three.

#### **Mr. Ferlo:**

The other problem with the tour, quite frankly, is if we go with TV cameras and an entourage, that's all well and good, but you're not going to see what you want to see in terms of on-street drug trafficking.

Secondly, I think our responsibility is to provide oversight to the Department of Public Safety. We should meet with the individuals responsible in the department, in this case, Director Cannon and whoever else, and find out to date what's been happening, what's not happening, what kinds of new resources do they need. I think our responsibility is

to make Public Safety work. Mr. Wagner says it is working. It's very possible that there are additional resources and activities that are needed. I would suggest, and I have no problem with the tour, but Michelle, I don't live at 1000 Grandview Avenue and I do get out to every neighborhood throughout the City

#### **Michelle Madoff:**

What's that got to do with where I live?

#### **Mr. Ferlo:**

Your comments earlier that somehow members of this Council have some rosy colored glasses about conditions of the neighborhoods; I don't need a lecture on that. The point is, what we need to do is create some activity and here from our department directors. I have no problem with the tour but I think our responsibility is to interact with the Department of Public Safety Director on this issue.

#### **The Chair:**

I think on this issue there's a lot of things that the Department of Public Safety won't even be able to tell us. They can't divulge their plans, their operations, very well; they'd give it all away. So, decide what you want to do.

#### **Michelle Madoff:**

Madam President, I'll restate what I said. I want to do all three things. I think through Jack Wagner, since it's his committee, I would like to ask him respectfully to set up either a post agenda or, preferably, a hearing to find out whether indeed we can do what the Mayor of New York thinks is important and triple the number; whatever is needed to provide more narcotics people



and police officers on any area where we have a problem. But particularly to zero in on the festering that I saw of this horrible cancer, and, incidentally, it isn't just hypodermic needles and balloons, it's a garbage dump. Litter like you cannot believe. Pop bottles, broken glass, rats. It's an unbelievable situation. We have a responsibility to start.

Secondly, with reference to what Mr. Ferlo said about traveling with cameras, you don't announce when you're going. We set it up through Mr. Wagner, we go with the police, we take some representatives of the courts and we let them see what's going on first-hand on an unscheduled meeting.

Thirdly, I don't think there's any harm in sending a letter to the Administration and to Mr. Cannon expressing our concern. Again, if Jack wants to do it, I have no problem, but I'm asking Mr. Perry to send a letter saying that this is a situation that must be addressed immediately because of the impact on the whole community and the dollars we can save.

When you see people murdered and you see pictures, they know who the murderer is, you see his eyes glazed over, one may guess that that person is on drugs and probably 99.9 percent of the time you're right.

Now, on another subject.

**Mr. Ferlo:**

Madam President, I think in the future I would prefer the old system where everybody have their limited five or six minutes and just outline the various issues at the end of the meeting.

**The Chair:**

That's what I've tried to do and I've

tried to limit each person to one remark.

**Michelle Madoff:**

Excuse me, Madam President, Mr. Ferlo asked that we stay with one subject and have input. You agreed to that and —

**Mr. Ferlo:**

No, I didn't ask that; you asked that.

**Michelle Madoff:**

Madam President, his exact words, "as long as I don't relinquish the floor, I don't mind discussing each subject independently".

I have not relinquished the floor. You gave me the floor and I have two subjects. I let everybody have their input on the first and I'd like to go to the second one.

The second one is one, in magnitude to the other which may be a mountain, this one is a pimple. On this pimple, last Wednesday, I believe, a member of this Council took it upon himself to break the lock on the lighting system because there were cameras here at a hearing that I believe he had helped to organize. It was a very worthwhile hearing; it was on Duquesne Light. But to damage City property — I spoke to Brother Richard who is very disturbed, Mr. Ferlo; he has not heard from you yet. He is upset — I was not here; I had to go to another commitment on the Refusniks but I believe Ms. Johnson was here — that the lock was broken. The lock is only \$15.00; you can kick in the \$15.00, Mr. Ferlo but it's the labor to repair it. But Brother Richard was concerned that if they had been working on that system in the afternoon and nobody knew about it, for anyone to

touch it was unconscionable.

I'd like to respectfully ask that that never happen again, that no member of Council take it upon themselves to touch property that is not their right to touch. And Brother Richard has told me that any time, if anybody would just give him the courtesy of a telephone call, if the cameras were coming in from the television stations and you needed power, just to tell him and he will provide somebody and he will pay them overtime to be here to provide whatever lighting. He is not uncooperative, but for us to have anyone go in and damage the equipment is absolutely an unconscionable kind of thing. I say \$15.00 is only a pimple but when you talk about what it could have meant, I think somebody had to raise the issue here and everybody sort of felt they didn't want to do it. I've got a big mouth and it needed to be said.

**Mr. Ferlo:**

First of all, I don't know what Michelle is talking about.

**Michelle Madoff:**

Yes, you do know what I'm talking about. You broke the lock on the light switch box.

**Mr. Ferlo:**

Michelle, if I were you, I'd be accurate in your information. If you would like an explanation on what happened, I'll be glad to give it to you.

**Michelle Madoff:**

I would be happy to hear it.

**Mr. Ferlo:**

I'll be glad to give it to you.

**Michelle Madoff:**

Give it to everybody.

**Mr. Ferlo:**

Madam President, on another issue

**Michelle Madoff:**

I think you need to answer the question. You say I'm wrong — Were you here, Ms. Johnson?

**Linda Johnson:**

No, I was not.

**Michelle Madoff:**

Who was here that night the box was broken?

**Mr. Wagner:**

Madam President, point of order. This meeting is out of control.

**The Chair:**

Yes, it's out of order. Mr. Ferlo?

**Mr. Ferlo:**

On a more important issue, since Michelle is totally off base. Last week I went out and spoke to the Pittsburgh School Board. As I indicated, I was very concerned and I think all members of Council were concerned about the issue of the four percent wage tax. All of us have reiterated our concern about trying to get the School Board to meet cooperatively with City Council in some kind of a joint planning process.

I delivered a message and I gave the President and members of Council a copy of my remarks last week. I think it

was a level-headed attempt to try to communicate to the School Board. Unfortunately, I felt like I was addressing nine individuals who had succumbed to a taxidermist because, unfortunately, they were there listening but I don't think they heard anything I said. So, I want to put Dr. Milliones and the School Board on notice that I will be back out again at the next month's public hearing to see if I can generate some response from my request. And that request was, very clearly, that they set up some type of mechanism with us. I had made the suggestion that Mayor Caliguiri moderate and share the planning process regarding tax reform.

Again, everybody is concerned about the four percent wage tax. It's been pointed out consistently that the four percent is not just levied by this legislative body but is levied by members of the Pittsburgh School Board.

I also raised the suggestion with them that they cablecast their public hearings because, unfortunately, many citizens are not able to attend the School Board meetings and, in fact, many citizens are not aware of a large number of the concerns and activities of the School Board.

So, I want to put the Board on notice that I'll be back out again next month to try to solicit their input on the tax reform question. Thank you, very much.

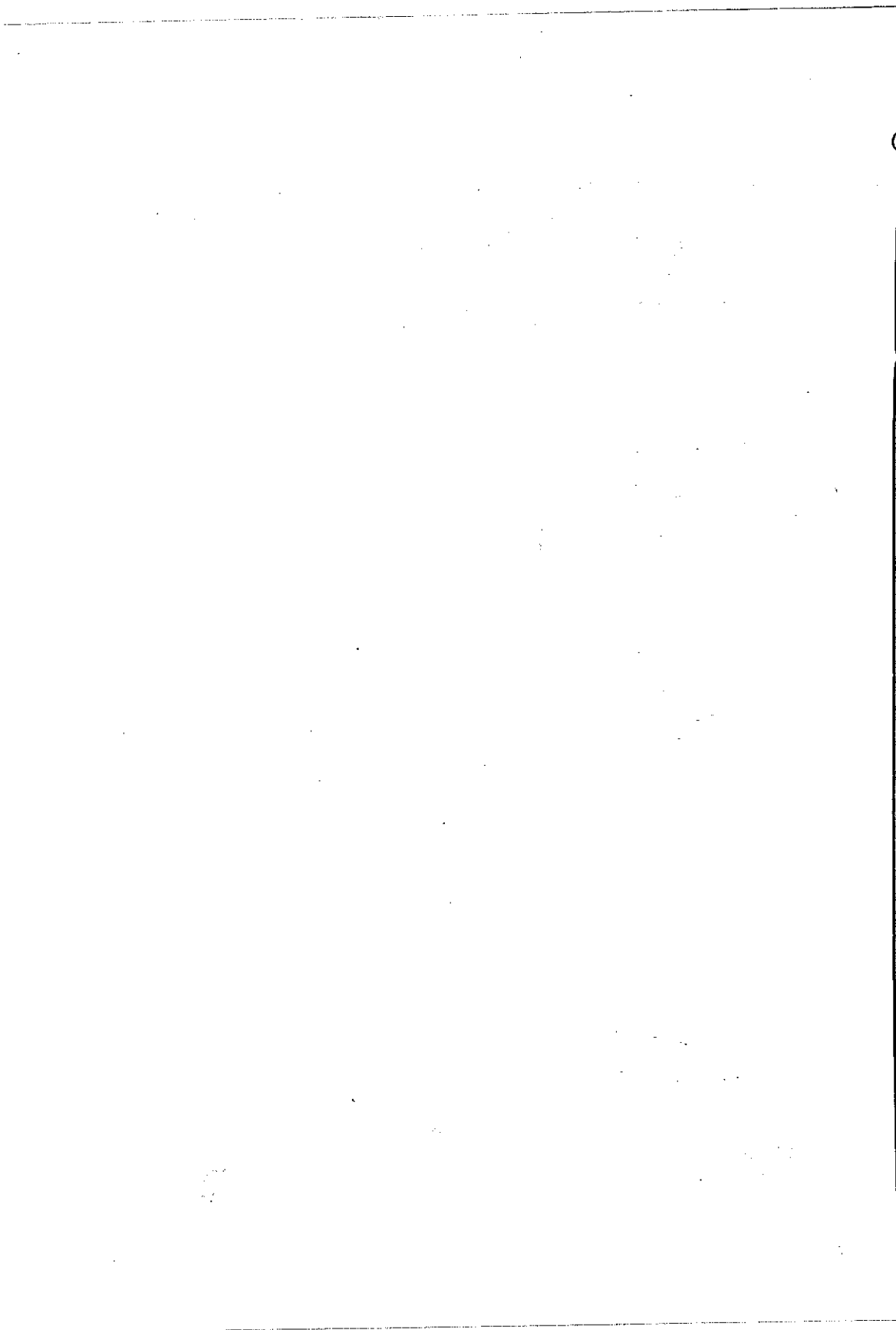
**Mr. Ferlo** moved to approve the Minutes of Monday, March 7, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, March 28, 1988

No. 13

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, March 28, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne:

Could I have Mr. Clifton Pitts, Mr. John Tokarski and Mr. Milwaukee Fuller come forward, please?

##### Mr. Coyne presents

No. 479 WHEREAS, on Tuesday, March 29, 1988, the communities of Hazelwood, Glenwood and Glen Hazel will celebrate the Grand Opening of the "Carbarn", a senior center and community center; and

WHEREAS, the Carbarn is a historical landmark in the community which was first constructed in 1890 to provide horse and carriage service to residents and was later used to house electric trolley cars; and

WHEREAS, the Carbarn sat dormant for many years after trolley services were discontinued in 1964, but was rediscovered through the efforts of Citiparks and Mr. Milwaukee Fuller in their search for a senior citizen facility; and

WHEREAS, the Hazelwood, Glenwood, and Glen Hazel Council, Inc. (HGGH) will occupy a part of the beautifully refurbished building which has been restored as a tribute to an era of the community; and

WHEREAS, the HGGH Council is a non-profit organization which provides social services such as transportation, education, job counseling and information and referrals.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join in the community celebration for the grand opening of the "Carbarn"; and

BE IT FURTHER RESOLVED, that the Mayor and the Council of Pittsburgh commend the HGGH Council and its Board of Directors for their contributions to the community over the past 23 years, and wish them the very best in their efforts to serve the needs of the community in the future from their new headquarters.

**Mr. Coyne** moved to adopt the resolution.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

I'd like to give everyone here a chance to speak. The resolution calls for and says that Citiparks has a lot to do with the restoring of the Car barn, which is true, but the one fellow here, Mr. Milwaukee Fuller was one of the prime motivators of the Hazelwood community and he's somebody that stayed on the goal of creating a senior citizen and a community center down at the Car barn facility. I think without his efforts, we'd still be looking for a new center in Hazelwood.

So, first of all, I'd like to have Mr. Clifton Pitts, the Director of the HGGH speak, and Mr. John Tokarski, the President of the Board of Directors, and then Milwaukee Fuller, please.

**Mr. Pitts:**

Councilman Coyne, President of Council, members of Council, on behalf of the HGGH Council, I would like to thank the City of Pittsburgh for taking this time and opportunity for recognizing them. Thank each and every one of you.

**Mr. Tokarski:**

Councilmen, fellow Councilmen, I'd like to thank the Mayor and yourselves, the City Administration, on behalf of myself, the Board of Directors, and the residents of the Greater Hazelwood area.

It's rather unique; Hazelwood is a lot like the spirit of the City itself. It was always a community, a neighborhood that thrived on the blue collar manufacturing atmosphere that has been associated with the City and through the years we've gone through rather a change, a renovation, a bringing up in the times. And I find that a resolution and an honor such as this is rather your acknowledgement that we're on the right track and we're moving ahead along with the City of Pittsburgh. And on behalf of the residents, we'd like to thank you.

**Mr. Fuller:**

President of Council, Councilman Coyne and Councilmen, I stand here to thank you for the input that you have given to help us to accomplish this feat, something which was a long time coming. But there's something that I must stand here and say, that I want to give credit to Councilman Coyne, especially, for his input and for the attention that he has given to us to help us to carry this thing through.

And I want to say to you all, tomorrow is our grand opening and there is an open invitation to you. So, those of you that can attend, we welcome you. And I say again, thank you, Councilman Coyne, for just thinking about us, for just coming forward to talk to us. Thank you.

And I want to thank the Mayor who so graciously helped us, him and his constituents. Mayor Caliguiri, thank you. Thank you all.

**Mr. DePasquale:**

May I say a word? I just want to congratulate the gentlemen, especially Mr. Milwaukee Fuller. When he worked for me I told him he was going to succeed someday and he wouldn't believe me.

**The Chair:**

Thank you.

**Mr. Lyons presents**

No. 480 WHEREAS, the Alliance of Bikers Aimed Toward Education is a Pittsburgh based non-profit organization; and

WHEREAS, A.B.A.T.E. participates in civic activities, Toys for Tots, Jerry's Kids and the Central Blood Bank; and

WHEREAS, A.B.A.T.E. further supports local charities such as the Buhl Science Center's Christmas Angel Program and donates regularly to WQED's telethon; and

WHEREAS, it is important to A.B.A.T.E. to maintain a good image for bikers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of June 6 through June 11, 1988 as Motorcycle Awareness Week in the City of Pittsburgh.

**Mr. Lyons** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Lyons:**

This is Mr. DeWorken and he will

have a word or two to say.

**Mr. DeWorken:**

Madam President and members of City Council, I am the public relations officer for the Allegheny County Chapter of A.B.A.T.E. and I would like to thank you all, especially Otis Lyons, for introducing this resolution.

We are going to be working hard towards Motorcycle Awareness Week, June 6th through June 11th, to maintain a good image for bikers who have been so stereotyped by Hollywood. We want you to know that we are active in your community; we are working here. We are citizens just like yourselves. And when you do see us riding down the road in our black leather, on our Harley-Davidson motorcycles, give a little wave to us because we know that you're there too. Thank you very much.

**The Chair:**

Thank you very much.

**Michelle Madoff:**

Madam President and members of Council, may I call on Patricia Shehorn and Mr. George Jacoby to please come forward.

It is with great pleasure that I give this resolution today and after you've had a chance to make whatever comments you will, I would like to point out why I have a special interest in this field or this resolution.

**Michelle Madoff presents**

No. 481 WHEREAS, the Partnership for Medical Renaissance, which is composed of Presbyterian-University Hospital, Eye and Ear Hospital, and the Medical and Health

Care Division of the University of Pittsburgh, has pledged financial support to the City of Pittsburgh amounting to \$11.1 million over the next ten years; and

WHEREAS, the Partnership for Medical Renaissance notes that over 78% of its patients and a majority of patients in other Pittsburgh based hospitals come from outside the City of Pittsburgh; and

WHEREAS, the University of Pittsburgh and its major affiliated hospitals constitute one of the largest and most highly regarded academic medical centers in the world and are now embarking on a medical renaissance; and

WHEREAS, it is in the best interest of our hospitals to contribute financial support to help maintain the elements which make Pittsburgh America's #1 City and which will be key factors in attracting patients, money and quality staff to our area; and

WHEREAS, this goodwill contribution is an excellent example of government and the private sector joining together to strengthen the economic future of this city.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Mayor Richard S. Caliguiri for his successful accomplishments in securing financial support for the City of Pittsburgh and hereby commends the Partnership for Medical Renaissance for their voluntary support to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council hereby encourages unanimous financial support from all 17 Pittsburgh based hospitals so that this City can continue to provide the excellent quality services which help to

make Pittsburgh America's No. 1 Choice!

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Michelle Madoff:

Before you come up to make a statement, I'd just like to mention that it's a good thing that we have Linda Sarno in our office because if she left, we wouldn't know where anything was in our files. Linda, at my request, went back and found a December, 1981 review - I used to do a critique of the budget every year until I realized it was hopeless; perhaps this year it will not be so hopeless - In 1981, I stated, it is my belief that a fee for service must be levied by the Administration to collect some revenue from the 30 percent - and at that point I said 30 but I believe we're up to 40 - tax entities in our City who are provided with a service such as fire, police, litter removal, street paving and repairs, salting of streets and snow removal.

Now, Mike Perry will have somewhere in his files a bill that I introduced which failed miserably, because I guess it was an idea before it's time, which said that the fee should be based on square footage. What would happen to the hospitals if the City didn't go out and clean up the litter, didn't provide police protection in the immediate area surrounding the hospital so that people feel safe in the garages when they go to park, if we didn't wash your streets, make sure fire people were available?

Obviously an enlightened hospital has seen the light and I hope that the other hospitals will not stand on the issue



of it's going to cost us money and we'll be innovative and creative and come up with some way that will not put undue burdens on themselves and we'll meet with the Administration to come up with some mechanism where they too will contribute, perhaps on a square foot basis, to providing for the services that the City taxpayers must go into their pockets every year on a debt service. And not only do City taxpayers pay City taxes and Federal taxes, but we pay the County taxes, and we pay the entire debt service as City residents. The City of Pittsburgh residents and taxpayers burdened with the four percent wage tax are just being hit so hard that it doesn't help all of us. This is not us against them, not City against County, but let's work out a way where the other hospitals will make some attempt to follow in the steps of Patricia Shehorn and the hospital she represents.

**Ms. Shehorn:**

Madam President and Councilmembers, Presbyterian University Hospital, Eye and Ear Hospital and the Medical and Health Care division are truly proud to have entered into this partnership with the City. We firmly believe that a strong City will lead to a stronger academic medical center. Thank you very much.

**Mr. Jacoby:**

Madam President, on behalf of Mayor Caliguri, I'd like to thank Council for recognizing this event. I'd very much like to thank the University of Pittsburgh and its health-related facilities for being good corporate citizens and recognizing that the best interests of the City of Pittsburgh and its employers are often mutual. Thank you.

**The Chair:**

Thank you.

**Mr. Pollock presents**

No. 482 WHEREAS, JOSEPH RHODES, JR. was recently nominated by Governor Robert P. Casey to serve on the Pennsylvania Public Utility Commission; and

WHEREAS, JOE RHODES was educated at Harvard University and the California Institute of Technology and has a history of public service that is uncommon in its breadth and its commitment; and

WHEREAS, JOE RHODES served as a Member of the Pennsylvania House of Representatives, served as a Consultant to the Counsel for the President of the United States and to the Secretary of the Department of Health, Education and Welfare, served as a Member of the President's Commission on Campus Unrest and the President's Commission on Voluntary Service, served as a Member of the Pennsylvania Commission on Crime and Delinquency and currently serves as Deputy Secretary for Development for the Pennsylvania Department of Commerce; and

WHEREAS, in addition to his public service, JOE RHODES has been a Professor at the University of Pittsburgh and at the University of Massachusetts, a consultant in efforts to develop Latin America and Southeast Asia and the Manager of Strategic Minority Investments for Westinghouse Electric Corporation; and

WHEREAS, JOE RHODES has also served on the Steering Committee of the National Urban Coalition and on the Pennsylvania Council on Humanities; and

WHEREAS, throughout his public and private life, JOE RHODES has revealed an understanding of the plight of those "in the dawn of life, those in the twilight of life and those in the shadows of life" as Hubert Humphrey described; and

WHEREAS, JOE RHODES' compassion, intelligence, integrity and record of service make him uniquely qualified to serve as a Public Utility Commissioner and he would bring to this important position, character, fairness and talents which would enable him to be of enormous benefit to the people of Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks and commends Governor Casey for nominating this extraordinary individual to the Public Utility Commission and the Council strongly urges the Senate of Pennsylvania to confirm the nomination of JOE RHODES as expeditiously as possible.

Mr. Pollock moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Pollock:

Madam President, just one comment on this. There's only one negative drawback to Governor Casey's appointment of Joe Rhodes to the Public Utility Commission and that is that we'll be losing him as the Deputy Director of Commerce for the Commonwealth of Pennsylvania which is, of course, also an extremely important post.

I'm hopeful that he will be able to be replaced by someone close to him in

competence and commitment, but I think that as we recently saw with the Duquesne Light increase that individuals with fairness and intelligence and commitment are very, very important on the Public Utility Commission and I think Joe Rhodes is the most extraordinary individual that could be appointed to this position and I strongly urge that the Senate confirm him as soon as possible.

I would ask that a copy of this resolution be sent to the appropriate members of the Senate in charge of the confirmation process.

The Chair:

Mr. Perry, will you see that that is done? Thank you.

Mr. DePasquale presented

No. 443 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by changing the title of line item EC 86-15 to "Swinburne Street Bridge Trust Fund Transfer," by increasing this line item by \$795,000.00 and by adjusting the Summary Totals.

Also,

No. 444 Resolution amending Resolution No. 442, effective June 4, 1987, entitled: "Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge; providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$795,000.00 (from \$1,440,000.00 to

\$2,235,000.00) chargeable to and payable from the Swinburne Street Bridge Trust Fund, Department of Engineering and Construction.

Also,

No. 445 Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Duquesne Light Company for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 446 Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Marie Pena, his wife, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 447 Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Consolidated Rail Corporation for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 448 Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Riverview Post No. 681, American Legion, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 449 Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Kazmier Pulaski Society, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 450 Resolution providing for a Contract or Contracts or the use of existing Contracts for Renovations to Various Public Buildings at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account EC 88-60.

Also,

No. 451 Resolution providing for a Contract or Contracts or the use of existing Contracts for Repairs to Phipps Conservatory Entrance Roof at a cost not to exceed \$18,119.65, chargeable to and payable from Code Account LB 84-11 - \$2,610.00 and Code Account EC 87-48 - \$15,509.65; total \$18,119.65.

Also,

No. 452 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Sam Taylor to attend the "Introduction to the National Building Code" seminar at the Sheraton Station Square, Pittsburgh, PA, March 22-23, 1988, at a cost not to exceed \$235.00, payable from Code Account No. 1482, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 453 Resolution establishing the Hunger Trust Fund of the City of Pittsburgh.

—(SPONSORED BY MR. FERLO)

Also,

No. 454 Resolution directing the Mayor and the Treasurer of the City of Pittsburgh to amend the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check-off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh.

—(SPONSORED BY MR. FERLO)

Also,

No. 455 Resolution directing the

Mayor and Treasurer of the City of Pittsburgh to provide the employees of the City of Pittsburgh with the opportunity to make voluntary payroll deductions to the Hunger Trust Fund of the City of Pittsburgh.

—(SPONSORED BY MR. FERLO)

Also,

No. 456 Resolution directing the Mayor to prepare a year-end State of the Poor Report. —(SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Finance.

Also,

No. 457 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees, by changing the fee charged for video card game machines. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

**Mr. Lyons presented**

No. 458 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of the properties in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (SIDEYARDS).

Also,

No. 459 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh

and William and Ethel Johnson for the sale of Parcel 54 (210-208) for the sum of \$300.00 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 31 (PARKING & SIDEYARD).

Also,

No. 460 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Thomas E. & Roberta L. Herring for the sale of Parcels 106, 107 & 107A (1507 Manhattan & 1410-1408 Liverpool) for the sum of \$645.00 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARDS).

Also,

No. 461 Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 462 Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties for \$100.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 463 Resolution providing for a Contract or Contracts or use of existing

Contracts for the furnishing, delivery, and installation of forms handling equipment, continuous forms imprinter and detach, folder-nester, and heat sealing equipment in connection with the City Employee Payroll Checks and Accounts Receivable Tax Statements for the Department of Finance at a cost not to exceed \$17,500.00, chargeable to and payable from Code Account No. 1066, Equipment, Department of Finance.

Also,

No. 464 Resolution providing for an Agreement or Agreements with various laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees and candidates for employment and promotion at a cost not to exceed \$51,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 465 Resolution providing for an Agreement or Agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 466 Resolution providing for an Agreement or Agreements with Allegheny County Health Department for professional services in connection with rabies immunization for City of Pittsburgh employees at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account No. 1100,

Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 467 Communication from Thomas Flaherty, City Controller, requesting authorization for James Haley to attend the Annual Conference of the Government Finance Officers Association of the United States and Canada, Atlanta, Georgia, April 30 - May 4, 1988, at a cost not to exceed \$1,500.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 468, Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania-Pennsylvania State Police, Information Systems Division, 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110, in the amount of \$3,060.00 in payment for the relocation of the terminal from the Communications Section to the Identification Section, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account (CCIISP).

Which was read and referred to the Committee on Finance.

Also,

No. 469 Resolution amending Resolution No. 16, approved January 28, 1988, effective February 2, 1988, entitled: "Resolution providing for an Agreement or Agreements with Instructors for the Training Academy and decreasing the amount from \$20,000.00 to \$11,600.00, chargeable to and payable from the Department of Public Safety,

Bureau of Administration, Code Account (PSTA).

Also,

No. 470 Communication from Councilman Jack Wagner, requesting authorization for Michael Brady, to attend the Urban Land Institute District Council program entitled, "Innovations in Waterfront Development", April 13, 1988, Philadelphia, PA, at a cost not to exceed \$650.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, City Council. This program will focus on waterfront mixed-use development, marinas, making regional magnets of the waterfronts and an overview of what has been done with waterfronts in the Philadelphia area.

Also,

No. 471 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Andrew Mesaros, Programmer Analyst 3, Department of City Information Systems, to attend the National CAD Consortium Technical Committee meeting at the Minneapolis Emergency Communication Center, March 20-27, 1988, at a cost not to exceed \$399.00, payable from the PSTA Code Account. The purpose of the meeting is to finalize the Logical Design document and complete that phase of the CAD development. (PRIOR APPROVAL GRANTED)

Also,

No. 472 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief Charles Dickinson, and Assistant Chief Kevin Mellott, Bureau of Fire, Department of Public Safety to attend the Fire Department

Instructors Conference, Cincinnati, Ohio, March 26-30, 1988, at a cost not to exceed \$1,015.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. Some of the sessions will include presentations on Administration & Management, Human Resource Development, Suppression & Response, Prevention & Protection, Training & Education, Specialized Interests, and Technology. The purpose of these conferences is to promote the science and methods of fire protection and prevention by increasing the knowledge and awareness of its members and the public. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 473 Resolution providing for the issuance of a warrant in favor of Gooding Rubber Company in the amount of \$15,527.60 in payment for a drag chain needed for the daily operation of the Asphalt Plant, chargeable to and payable from the Asphalt Reimbursement Trust Fund, ARTF.

Also,

No. 474 Resolution providing for the issuance of a warrant in favor of Guardian Construction in the amount of \$4,250.00 in payment for plastering, installation of Batt Insulation, conduit raceways and Thoroseal Waterproofing at the Public Works' new Second Avenue location, chargeable to and payable from Code Account PW 84-21, Miscellaneous Electrical Services.

Which were read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 475

Report of the Committee on Finance for March 23, 1988 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 315

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1987 to the same or to other code accounts for the year 1988." (AS AMENDED IN COMMITTEE) —(SPONSORED BY MR. POLLOCK)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

Also,

Bill No. 347

A Resolution entitled, "Resolution providing for the issuance of a \$1,567.20 warrant in favor of the Port Authority of Allegheny County in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 348

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$22,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1988 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission and providing for the payments thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally:

Also,

Bill No. 349

A Resolution entitled, "Resolution authorizing the transfer of one hundred thirty five thousand (\$135,000.00) dollars from the JTPA-1 Trust Fund, Index Code 260307, to the General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Job Training Partnership Act Program for Fiscal Year 1987."

Which was read.

Also,

Bill No. 350

A Resolution entitled, "Resolution amending Resolution No. 437 of 1987 entitled, 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof,' by increasing the amount available for subcontractor agreements by \$290,000.00."

Which was read.

Also,



Bill No. 351

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 352

A Resolution entitled, "Resolution amending Resolution No. 1087, Item G, approved December 31, 1987, which repealed Item M of Resolution No. 384, approved May 8, 1986, which authorized the sale of property in the 26th Ward of the City of Pittsburgh, being a 3 Story, Brick house and garage, located at 2206 Perrysville Avenue, designated as Block 46-K, Lot 74, to Stephen R. Cafaro, for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 353

A Resolution entitled, "Resolution Repealing Resolution No. 159, Item E, approved March 4, 1987, which authorized the sale of property in the 12th Ward, being a vacant lot, located at 1126 Lincoln Avenue, designated as Block 173-N, Lot 160, to Diane Chatman, for the sum of \$500.00."

Which was read.

Also,

Bill No. 359

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title

One, Administrative, Article I, General Provisions, Chapter 191, Retirement and Severance Pay, Section 191.04, Death, by changing "ineligible" to "eligible" for severance pay for his accumulated sick leave days." —(SPONSORED BY MR. WOODS)

Which was read.

**Mr. Woods:**

Madam President, on Bill 359, I'd like to make a motion to amend Section 1 by adding after "regular employees" the words "not covered by union bargaining agreement".

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 412

A Resolution entitled, "Resolution providing for an Agreement or Agreements to provide funding for the Greater Pittsburgh Commission for Women at a cost not to exceed seventy-five thousand (\$75,000.00); chargeable to and payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office, Index Code No. 101709."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 476

Report of the Committee on Planning, Housing and Development for March 23, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 398

A Resolution entitled, "Resolution amending Resolution No. 225, effective March 13, 1987, entitled: 'Resolution providing for an Agreement or Agreements with the Bidwell Music Center for the purchase of computer equipment for training of low/moderate income persons, in an amount not to exceed \$40,000.00,' so as to pay for the purchase of computer equipment and salaries of computer instructors."

Which was read.

Also,

Bill No. 399

A Resolution entitled, "Resolution

authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$35,000.00 of Clifton Park Project Funds for a Contract with North Side Tenants reorganization."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 413

A Resolution entitled, "Resolution nominating the South Side Pittsburgh Works, LTV Steel Corporation to be an Historic site under Section 513 of Chapter 1007 of the Pittsburgh Code."  
—(SPONSORED BY MR. POLLOCK)

Which was read.

**Michelle Madoff:**

Madam President, on Bill 413, every one of us has been lobbied not once but probably three times by a gentleman

whose initials are W.W. He's called me at home two or three times; he's been in all of our offices. He represents J & L and his purpose was, I believe, to ask for a one week delay promising that nothing would change if J & L would have the opportunity to come before us and make a presentation.

I have 20 years experience dealing with J & L on and off and I would like to read a letter, if I may, a very brief, quick letter that's from the History and Landmark Foundation which expresses my sentiments exactly. It was sent, I believe, to every member of Council. This is the Pittsburgh History and Landmark Foundation speaking.

"RE: Resolution to nominate the South Side Pittsburgh Works, LTV, to become an Historic site; Bill 413

Dear Ms. Madoff:

We understand that LTV Steel Corporation has requested a one week delay in Council's final vote on 413. We believe that this proposed postponement may only be used by LTV to seek further delays in initiating the appropriate City procedures for review of the historical significance of the site.

We must act now to authorize the Historic Review Commission to prevent the demolition of these important structures. Your vote review on Monday, March 28th, is critical."

I move that we do not hold this; I move that they have their equipment in place and are ready to move with their bulldozers. And I'm afraid that if we hold it we jeopardize the intent and goodwill of the community.

And I would also point something out. The people are going to have to negotiate with LTV and the actual

purchase of property. We'd want to get the property at the most practical dollars and would in no way want to jeopardize negotiations. If they feel that it is necessary to move quickly and not to delay the creation of this area or designation of this area as an historic area, I believe they must know what they're talking about because they're jeopardizing the fact that it may even cost them some more money. They believe in the overall, the best good to be offered this community is to move expeditiously, right now.

This came to the attention of the members of Council who presented the bill, Mr. Pollock, I believe, because we knew that the equipment was in line, ready to bulldoze. I think we should not delay, not put this back into Committee. I think there is going to be a motion to do that and I think we must move very quickly on this bill because if we as Council are bulldozed, I think we're going to be in big trouble.

**The Chair:**

We haven't had a motion to delay it anyhow.

**Mr. Coyne:**

Madam President, I do agree with Councilwoman Madoff's comments on the holding but, first of all, I'd like to make an amendment to the bill as it reads; it would be in Section 2. It would say, "This resolution shall not affect any attempt by Steel Valley Authority to re-open the electric furnaces on this site."

I've been contacted by both the Tri-State Conference on Steel and the Steel Valley Authority, and, although they agree with the overall idea of what this is attempting to do, feel that as a safeguard something like this should be added.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

I'm all in favor of the amendment and I thank Mr. Coyne for introducing it.

On the actual bill, I would like to make a motion to recommit and I'd like to just briefly state that on Friday I believe Council President Masloff was in receipt of a letter from the Corporation, LTV, where they basically make an appeal to Council to hold for one week this legislation to allow them an opportunity to speak before Council concerning their plans for this site. In the end I will vote in favor of the motion for the nominating petition, but I do see an opportunity for the Company to at least address Council and I would argue that we at least should afford them the opportunity to communicate to Council. I would offer the same for a neighborhood group if they had a problem with a bill.

I don't think anybody has been described as more anti-corporate in their behavior over the last 15 years, but on this one issue, I do think that they should at least be afforded the opportunity to communicate to Council —

**Mr. DePasquale:**

Madam President, we haven't had a second on the motion and we can't have discussion until we have a second.

**Mr. Woods:**

Second.

**The Chair:**

Okay, now we're on discussion.

**Michelle Madoff:**

He moved to recommit; he needed a second.

**The Chair:**

Well, no, Mr. DePasquale made the point that we didn't get on the bill. He's talking about the bill. But we can't move on the bill until we finish discussion and we're now on discussion.

**Mr. Ferlo:**

Just to finish, concluding in the letter the Company is specifically stating, and I assume or presume that we would take them on their word, and I quote that they agreed that during this one week delay period they will not take demolition action on the property.

In the issue of fairness, I believe that they should at least be afforded the opportunity to speak to Council and if they do get that opportunity I do have some concerns that I would address to them and to our Solicitor again on the issue of the tax exempt status and again on the issue of environmental liability. There's at least one toxic waste dump that's present on this piece of property as listed by the EPA, and that's the Air Products and Chemicals site at 34th and Carson.

There are probably a myriad of concerns and questions that individual Councilmembers might like to address to this corporation and to our Solicitor.

Again, I'll state in the end I will vote for the nominating petition, but I see no harm in offering the courtesy to allow this company to address Council.

Thank you, Madam President.

**Mr. Coyne:**

On the recommittal. I don't agree with Councilman Ferlo on this issue. First of all, last week in deference to Councilman Ferlo we held a bill up that he was the Chairman of and I think that Councilman Pollock has looked into this issue and feels there's no problem with it. And I think in deference to him being the Chairman of this Committee, we should go through with it.

Also, I don't think anyone on this Council would attempt to be an historical expert. LTV will have their opportunity to present their case to the Historical Review Committee and they can discuss with the people who know the business what exactly is of historical significance and what isn't of historical significance.

So, I would ask my colleagues, please, not to hold this bill because I just don't see a reason for it. They will be in court; they will have an opportunity to defend their position. And I think we're to avoid the possibility of quick demolition on LTV's part and to do all we can to preserve that site, both as an historical landmark and as a viable operating facility we should go through with this right now. Thank you.

**Mr. Lyons:**

I have another question. I'm in favor of the bill, but if we owe J & L a courtesy, does Council have the right, or the City Solicitor, to put forth an injunction to stop them from raising any of this property? I'd like to ask the Solicitor that.

**The Chair:**

The motion before us now is to hold the bill. That's the motion that is before us now, to hold it for a week. If you want

a legal opinion, I'll be glad to get it for you.

**Mr. Lyons:**

I understand that, but does the Council have a right, through the Solicitor, to issue an injunction? That's the question I'm raising to the Solicitor.

**Parliamentarian:**

As I said before, I can't respond in my capacity as Parliamentarian. I'm not here as the Deputy Solicitor.

**Michelle Madoff:**

I can answer that question and I think Mr. Pollock, as an attorney, can confirm what I'm saying. It's their property; they have the right to do anything they want with it. If we don't stop them from moving ahead, they can move within the hour to demolish whatever they wish to demolish.

If J & L is standing on good faith, if what they mean is to be good neighbors, we can pass this bill and they can come and talk to us. In any event, there's nothing to prevent them from having dialogue with this Council unless some people want to endear themselves to J & L, or LTV, for whatever purpose, in the long run there's nothing to lose by voting on this bill today and everything to gain. And we can invite J & L, LTV, to come here and discuss all the other issues such as hazardous waste and hazardous sites because under law we're still responsible. And we can invite them here to talk about the tax exempt property because in other communities when companies have left without regard for the employees, just taken their business like LTV and J & L have to their marketplace where they can make more money than staying on this site, they have donated the property to the communities. I don't see J & L giving us

any property; I don't see any goodwill from that community saying, "We want to at least help the community; we'll donate our riversides", and we're going to give them a week or two where we could be sitting here talking with them? In any event, it has no bearing on this bill whatsoever.

**Mr. Wagner:**

Madam President and members of Council, I think it's important to clarify what has happened in the last week. Councilman Pollock introduced a bill to make this an historical designation for it to go to the Historical Designation Commission, Committee, however it's referred to. First of all, that's not his Committee; it's in the Committee of Planning, Housing and Development under Councilman Lyons. I think that's an important point of clarification.

Number two, I believe Rule 8 was suspended on this legislation last week. It came up in Committee during that interim period between Wednesday and today. True a representative from J & L contacted each member of Council and asked each member of Council if a commitment was made in writing to do nothing on that site, would you please hold this bill for one more week so that we could come in front of Council and explain the site and what we want to do with it. I think it was a legitimate request that was made to me anyway, individually. I spoke with the individual and I also received a copy of the letter sent to you, Madam President.

Number three, all of our concerns, I believe, relate particularly to the Steel Valley Authority, number one, at this site. At least that's my number one concern. My number one concern at this site, and I should say this, is not historical designation; it's steel-making operations. It's to put Pittsburghers to

work on that site as steel makers. Now, there has been a study done that the two electric arc furnaces at that site could be hooked in with a continuous castor and possibly be put back in operation if the proper financial funding becomes available.

That is what I would like to see happen, and I believe what this Council would like to see happen. And just to go back a few years ago, it was this Council, and I believe Councilman Woods was the Finance Chairman and he can correct me if I'm wrong, it was this Council that put the \$50,000 up the first time for the Steel Valley Authority to initiate this study and the operation of that Authority. Since that time, in previous Councils, not this Council, previous Councils have also funded the Steel Valley Authority with the potential end result being the operation of these two electric arc furnaces. I personally would like to see that happen.

Now, I understand, in talking with some people over the weekend, that there are some things on that site that are critical to see the electric arc furnaces be put in operation. There's a water purifying plant, I understand, that ties into it. There's some other facilities that are very important that they're not touched.

I would like to see the J & L people ask us, this Council, to the site someday this week to take a look at all these facilities and then for us to have a much better understanding of what we're voting on prior to final passage of this legislation. As I indicated previously, my number one goal would be to see steel-making on this site; if not J & L, the Steel Valley Authority or some other steel entity, possibly a special's steel operation like the Metaltech that's on Second Avenue. I would like to see steel-making on the site. If that can't be

the purpose of the site, possibly historical designation, or possibly both working together. That would be the ideal intent of this site, to see some steel actually being made on it and see some other facilities that are designated for historical. The public could actually go on and see some of the historical buildings and also see steel-making at the same time.

The point I'm trying to make is that I don't see, as long as we have a commitment in writing, anything wrong with holding this bill one week. At the same time, I'm making a request to the J & L people - I don't know if they're in this room; I know some of the History and Landmarks people are here - but I would like them to set up a time, not necessarily at our Wednesday Council meeting because we all know the time constraints there, but possibly a time that we could visit that site and take a look at the facility.

**Mr. Woods:**

Madam President and members of Council, I signed interim approval on this piece of legislation. I intend on voting for this piece of legislation. But I see nothing wrong, especially since J & L has put it in writing to ask us to give a chance to speak to us for one week. It's the same old story with some of our colleagues; every time you disagree with them, you have an ulterior motive. Now, because we want to vote for this, or those who don't want to vote for it, we are going to endear ourselves to J & L. Why don't we get our act together here and just vote your conscience and every member of this Council can vote his conscience without having some other kind of motive.

I am going to vote for this bill when it comes up again, but I ask my colleagues to recommit this bill for one

more week, especially after one of our colleagues say if you do vote for it, you're endearing yourself to J & L. Stand up the other way and be counted once, and quit letting people browbeat you.

**Mr. DePasquale:**

I wonder, Madam President, if we could learn the feelings of the maker of the bill on the recommittal.

**Mr. Pollock:**

I was going to comment. Since everyone said they're going to vote for it eventually, I can only wonder what the purpose for having an extra week to discuss it, and I think if there are ulterior motives I don't share the philosophy that it's to endear anyone to J & L or LTV. I think, though, that it's a wonderful opportunity to garner attention to make demagogic statements to attack the whole LTV corporate structure, whatever you want. It has nothing to do with the bill. If everyone is going to vote for it, then what purpose is to be gained by holding it one week? I don't want to play chicken with a major corporation. And their promise to not do any demolition during the week has nothing to do with the fact that the bids are out there and the extra week gains them time to have the bid process completed. So, the demolition is not affected by delaying a week, but the demolition bidding and getting everything ready to demolish is. So, that's what the extra week gains them.

I don't see what is to be gained by it; I think it's extremely dangerous. I think that people should know that all this bill does, if passed, is stop any demolition, stop any possibility of demolition of the site. The Steel Valley Authority supports this; they are afraid that if LTV comes in and demolishes

certain parts of the site, then the whole idea of having steel-making on the site becomes moot. That is what it is all about here.

I support the idea of there being steel-making on the site. I was contacted by both the Steel Valley Authority and by the History and Landmarks Foundation. They are mutual in their benefits and I feel that if steel-making cannot occur here, then clearly an historic site should be there or they can work hand in hand. But to play chicken with LTV Corporation, I think, is doing a disservice to the people of Pittsburgh. And everyone says they're going to vote for it, so vote for it. There's nothing to be gained by waiting a week.

#### The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### Ayes:

|           |            |
|-----------|------------|
| Mr. Ferlo | Mr. Wagner |
| Mr. Lyons | Mr. Woods  |

|        |        |
|--------|--------|
| AYES 4 | NOES 5 |
|--------|--------|

#### VOTING NO:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

#### Mr. Wagner:

Madam President, on the bill itself.

#### Michelle Madoff:

Excuse me, Madam President. I had raised my hand to speak on the bill and you said there was enough conversation and you would not let me speak.

#### Mr. Wagner:

We spoke on the motion.

#### Michelle Madoff:

I asked to address the bill and I was told we've had enough conversation on the bill and let's vote. We've now voted on the bill.

#### The Chair:

No, it was on the motion that I said there would be no further discussion. Now we're on the bill. Is there any discussion on the bill itself?

#### Mr. Wagner:

Yes, not a lengthy discussion. I will vote for the bill, but I simply want to state that we have not been fair to a company that is based in the City of Pittsburgh, with a steel-making operation in the Hazelwood area. I think at the very least we should have done that.

In addition, I'd like to make the request, even in that the bill has not been held for one week, I'd still like to make the same request to J & L that an arrangement be set up for this Council, or at least this Councilmember, to go to the site and to look at each of the facilities on the site. As I indicated previously, and I'll say it again, it's my



intent, number one, to see this site used for steel-making operation.

**Michelle Madoff:**

On the bill. As someone who has not only toured the J & L site but has been on top of the coke ovens and I've looked at schematics and I have copies of their layout, there is nothing to be gained by holding the bill. There is everything to be gained by moving quickly. There's nothing to prevent this Council to start a meaningful dialogue with J & L along the lines of what can you do to help this community, the community in which you have taken blood, sweat and dollars out of over the years and made lots of money. While the tides have turned, I think you have a responsibility to this community. What can you do to help this community? What are you willing to give back to this community? And I think that inviting them here and having some meaningful dialogue has no bearing on this bill but certainly should be pursued.

**Mr. Coyne:**

Madam President, I'd just like to call it to the attention of Council that LTV is not a Pittsburgh based corporation but a Dallas, Texas based corporation. LTV has not shown any consideration whatsoever to the Pittsburgh community or to the Pittsburgh working class. They have shut down blast furnaces, they have shut down electric furnaces, after they tell us it's going to provide many jobs for years to come. They have not given us one bit of consideration or one bit of consideration to the working class of the City of Pittsburgh or the neighborhoods where people's lives have depended upon it. I think if LTV has anything to say, it should not bother coming to this Council but to go to the Historical Review Commission, and there to try to weave

their tales and see what they can possibly do before they demolish more buildings. Thank you.

**Mr. DePasquale:**

Question called for.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mrs. Masloff    |
|                | (Pres't)        |

AYES 8 NOES 1

(MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Pollock:**

Madam President, on Bill 413 I make the motion to have the effective date of the legislation to be the date of the Mayor's signature.

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

Point of information. When does the bill become law?

**Mr. Pollock:**

When it's advertised. This would move it up. The Home Rule Charter says that we can move it up to the date of the Mayor's signature.

**Mr. Lyons:**

I have a question. I'm in favor of the bill, but which one comes first; the Mayor's signature or the advertising?

**Mr. Perry:**

The Mayor's signature is first.

**Mr. Lyons:**

Okay.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mrs. Masloff    |
|                | (Pres't)        |

AYES 8 NOES 1

(MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Wagner presented**

Bill No. 477

Report of the Committee on Public Safety for March 23, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 354

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Womens Center and Shelter of Pittsburgh for professional services and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

**Bill No. 478**

Report of the Committee on Engineering and Construction for March 23, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 340**

A Resolution entitled, "Resolution providing for an Agreement or Agreements or Supplemental Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Design in connection with the Rehabilitation of Various Playgrounds; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 340, you know, I'd like to think I'm a pretty smart lady but every now and again I really get sucked in. I must tell you that McDermott did it to me again. Do you recall that at the last meeting I asked Mr. McDermott why he needed \$27,000 for the design of two playgrounds? And incidentally, Mr. McDermott, if you're listening, and the taxpayers of this community, through the medium of modern science we are now taping on VCR all the marvelous statements by Mr. McDermott who clearly stated, it's a matter of the transcript on separate occasions, that indeed the money was for \$27,000 for two playgrounds. He didn't say three, he didn't say four, he didn't say six; he said two. When I called Mr. Padolf, Mr. Padolf said, "Oh, he couldn't possibly

have said that". I said, "Would you like to see the tape?"

I said to Mr. McDermott at the time, "Mr. McDermott, is your consultant at \$14,000 each for these playgrounds because they're going to deal with the topography, waterlines, sewer lines, the escalation of the terrain?" He said, "Oh, yes; that's correct." And I said, "Well, in that case, this is the first time I'm going to agree with you that you should have consultants." —

**Mr. DePasquale:**

Point of order, Madam President. She's not on the bill.

**Michelle Madoff:**

I'm on the bill, Madam President. Mr. McDermott, on the bill, said, "Yes, that is correct."

I get back to my office, having voted to support him on consultants, and I get a phone call. The phone call said, "Councilwoman Madoff, do you know these are not new playgrounds, that these are existing playgrounds? And do you know that the consultant need only to take a tissue paper and trace over the existing plans?"

And I have here the McKnight Playground and I have here the Fineview Playground. One is dated 1977 and seems to already have had the design worked out, so I don't know what we need the consultant for; it seems it's done already. The other one has all the levels, measurements and topography. But I took it a step further. Two minutes before Council I called the Pete Jeffrey Associates, Inc. of Indiana and I called Recreation Equipment Unlimited, Broad Street Mall, and I spoke to Doris Vanyell, Project Manager of Recreation Equipment Unlimited and I spoke to Mr.

Pete Jeffrey and associates of the company, and both of them informed me there would be no charge, not a dime, to do a consulting layout plan. And we could take that plan and we could give it to anybody we want to estimate what it would cost to put in playground equipment.

It's the old story, Mr. Wagner, of a consultant for roofs or a consultant for sidewalks. This City has put roofs and sidewalks in for 100 years; we don't need a consultant for \$27,000 or \$5,000 or any other thousands to tell us what to do. You can take the free consulting and put it out as an RFP for bid.

I was had, and I urge my colleagues to reject the \$27,000. Put it back into Committee, find out exactly what is being proposed and urge Mr. McDermott to send these two playgrounds out to the two companies who would be very eager to come up with a plan without a charge. And then we could look at it and determine whether they meet our needs and certainly we can go back to Construction and Engineering.

The four percent wage tax is directly affected by bills like this. This is the reason, Madam President and members of Council, that we can't lower our wage tax, because it's \$27,000 here, \$5,000 here, \$100,000 over on Grant Street, and we're never going to be responsible to the taxpayers. And we've got to stop saying it's the suburbanites' fault when we don't clean our own house.

My motion is to recommit the \$27,000; that Bill 340 be recommitment and it's \$27,500 to design two playgrounds. If not, I'm going to sue to get this money back.

Mr. Pollock seconded the motion.

#### The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |             |
|-----------------|-------------|
| Mr. Coyne       | Mr. Pollock |
| Michelle Madoff |             |

AYES 3                      NOES 6

VOTING NO:

|                |                         |
|----------------|-------------------------|
| Mr. DePasquale | Mr. Wagner              |
| Mr. Ferlo      | Mr. Woods               |
| Mr. Lyons      | Mrs. Masloff<br>(Prest) |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Ferlo:

Madam President, on Bill No. 340, I voted against this bill in Committee. One of the effective things of having the Wednesday session, and the reason why I'm glad that they are lengthy debates, is that you have dialogue and discussion with the Department Director. If the discussion with the Department Director is not one-sided, and if one listens to what the Department Director says, then one can make an informed decision, yes or no.

I understood what was being said by the Department Director and I voted no in the Finance Committee Meeting because this bill is not necessary; it's something that could be done in-house and I will vote no on it today. Thank

you.

**Michelle Madoff:**

Can we take that bill separately, Madam President? It's very confusing.

**The Chair:**

We will vote on all the bills in the Committee on Engineering and Construction; if you want to exclude any, that's your privilege.

**Michelle Madoff:**

Madam President, --

**Mr. Ferlo:**

If there's going to be another comment, then I would like another comment also.

**Michelle Madoff:**

Madam President didn't say you couldn't make one, did she?

**Mr. Ferlo:**

Fine. I would just like clarification before you monopolize the debate.

**The Chair:**

There's no further discussion unless it's on another bill.

**Michelle Madoff:**

Madam President, you said, "On the bills." I'd like to make a comment on the bill.

**Mr. Ferlo:**

And if she's going to have a comment, Madam President, I would like an additional comment.

**Michelle Madoff:**

I have no problem with Mr. Ferlo making a comment.

**The Chair:**

What bill do you want to discuss?

**Michelle Madoff:**

Bill 340. And I will yield; you may go first.

**Mr. Ferlo:**

No, because if you are going to lecture this Council, I would like equal time.

**Michelle Madoff:**

I am going to make a comment on the bill.

**Mr. Wagner:**

Madam President, I ask that we bring order to this Council.

**Mr. DePasquale:**

We were voting, Madam President.

**The Chair:**

Yes, we were voting on all the bills. We're going to vote on the bills; if you want to vote no on any of the bills, that's your privilege.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Lyons      | Mr. Woods    |
| Mr. Pollock    | Mrs. Masloff |
|                | (Pres't)     |

AYES 6

NOES 3

(MR. COYNE, MR. FERLO AND  
MICHELLE MADOFF VOTING NO)

And a majority of the votes of  
Council being in the affirmative, the bill  
passed finally.

Also,

Bill No. 341

A Resolution entitled, "Resolution  
further amending Resolution No. 953,  
effective November 3, 1986, as amended  
by Resolution No. 30, effective February  
2, 1987, entitled: 'Providing for a  
Contract or Contracts for the  
Reconstruction of the Department of  
Public Works' Second Avenue Building;  
and providing for the payment of the  
cost thereof,' by increasing the total  
project allocation by \$20,000.00 from  
\$700,000.00 to \$720,000.00."

Which was read.

Also,

Bill No. 338

A Resolution entitled, "Resolution  
providing for an Agreement or  
Agreements between the City of  
Pittsburgh and Patrick Media Group,  
Inc., for the payment of costs sustained  
by the latter upon the removal and  
installation of its billboard in connection  
with the construction of public sanitary  
sewer improvements on, over, across,  
under and through certain property  
owned by the POA Company, along

Banksville Road near the Parkway West  
inbound lanes in the 20th Ward, City of  
Pittsburgh, and providing for the  
payment of the cost thereof."

Which was read.

Also,

Bill No. 339

A Resolution entitled, "Resolution  
providing for the purchase from POA  
Company for public sanitary sewer  
improvements of an easement on, over,  
across, under and through certain  
property along Banksville Road near the  
Parkway West inbound lanes in the 20th  
Ward of the City of Pittsburgh  
designated as Block No. 16A, Lot No.  
300, for \$4,500.00; and providing for the  
payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Madam President, I have comments  
on Bills 338 and 339. As you know, we  
had that bill recommitted and Mr.  
McDermott was here and it was  
established one of his staff people  
negotiated; he didn't know that his staff  
person had negotiated the cost which was  
\$4,500 and \$12,000 for Outdoor  
Advertising and Patrick Media.

Bills 338 and 339 address  
reimbursement to Patrick Media and to  
Pittsburgh Outdoor Advertising on the  
issue of putting a sewer under their sign,  
their outdoor sign. They wish to be  
reimbursed if they have to take this sign  
down and they're asking for \$12,880. If  
indeed it has to come down, that's the  
fact of life. I don't think that checking  
around their figure is irresponsible.  
However, we don't know if that's going to  
happen. Construction and Engineering  
has stated that we may be able to build a

sewer while the Outdoor Advertising sign stays in place.

And also, on the other bill where they say they want \$4,500 to reimburse them for "two months", and their signs cost \$2,000 a month, that's what they generate in revenue on big outdoor signs, they are stating that if the sewer is built, they would lose that revenue. Well, if the sewer is built but they don't have to take their signs down, it seems to me that sometimes signs are sold for two or three months. You know, elections, sometimes for two or three months. When they sell a cigarette ad, they don't put a new one up every month. It would seem to me that we ought to monitor this bill and make a request to find out if indeed the sign comes down, and if indeed the sign stays up, whether they're losing their two months because even though construction is going on underneath and nearby, they're probably not losing a dime of revenue and we're talking about a \$17,000 bill.

Could I have that letter go, Mr. Perry; just a request that they update us on what takes place on 338 and 339. Do they have to take down the sign and if they don't take it down, if they change the sign, are they going to maintain the existing advertiser so that there is no loss of revenue.

#### The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

##### The Chair presents

No. 483      Communication from Mayor Caliguiri advising Council on the reappointment of George W. Whitmer, 1303 Sherman Avenue, Pittsburgh, Pennsylvania 15212, as a member of the Stadium Authority Board for a term to expire January, 1992; also, the reappointment of Peter Mulloney, 213 Grandview Avenue, Pittsburgh, Pennsylvania 15211, as a member of the Stadium Authority Board for a term to expire January, 1993.

Also,

No. 484      Communication from Mayor Caliguiri advising Council on the appointment of Richard A. Talarico, 5318 Beeler Street, Pittsburgh, Pennsylvania 15217, as a member of the Housing Authority of Pittsburgh for a term to expire April, 1993; also, the reappointment of Michael Gardner, 625 Stanwix Street, Pittsburgh, Pennsylvania 15222, as a member of the Housing Authority for a term to expire June, 1993.

Also,

No. 485      Communication from Mayor Caliguiri advising Council on the

appointment of Councilman Mark Pollock, 510 City County Building, Pittsburgh, Pennsylvania 15219, as a member of the Urban Redevelopment Authority for a term to expire April 1993.

Also,

No. 486 Communication from Mayor Caliguiri advising Council on the appointment of Michael Coyne, 510 City County Building, Pittsburgh, Pennsylvania 15219, as a member of the Public Auditorium Authority Board for a term to expire April, 1993.

Also,

No. 487 Communication from Mayor Caliguiri advising Council on the appointment of Otis Lyons, 510 City County Building, Pittsburgh, Pennsylvania 15219, as a member of the Public Parking Authority for a term to expire April 1, 1993.

Which were severally read, received and filed.

Also,

No. 488 Resolution that the reappointment by the Mayor of Marilyn Meade, 1245 Termon Avenue, Pittsburgh, Pennsylvania 15212 is hereby confirmed and appointed as a member of the Sinking Fund Commission for a term to expire December, 1992.

Also,

No. 489 Resolution that the reappointment by the Mayor of James E. Simms, 4337 Andover Terrace, Pittsburgh, Pennsylvania 15213, is hereby confirmed and appointed as a member of the Minority and Women's Business Enterprise Review Committee for a term to expire June, 1990.

Which was read.

Also,

No. 490 Resolution that the reappointment by the Mayor of Eugene V. Dotter, 2068 Palm Avenue, Pittsburgh, Pennsylvania 15235, is hereby confirmed and reappointed as a member of the Board of Standards and Appeals for a term to expire January, 1991.

Which was read.

Also,

No. 491 Resolution that the appointment by the Mayor of John J. Sciallo, 336 Grass Street, Pittsburgh, Pennsylvania 15224, is hereby confirmed and appointed as a member of the City Planning Commission for a term to expire January, 1994.

Which was read.

Also,

No. 492 Resolution that the reappointment by the Mayor of Deborah Miskovich, 1322 N. Highland Avenue, Pittsburgh, Pennsylvania 15206, is hereby confirmed as a member of the City Planning Commission for a term to expire January, 1994.

Which was read.

Also,

No. 493 Resolution that the reappointment by the Mayor of Rosemary D'Ascenzo, 154 N. Bellefield Avenue, Pittsburgh, Pennsylvania 15213, is hereby confirmed as a member of the City Planning Commission for a term to expire January, 1994.

Which was read.



Also,

No. 494 Resolution that the reappointment by the Mayor of Deborah Miskovich, 1322 N. Highland Avenue, Pittsburgh, Pennsylvania 15206, is hereby confirmed and appointed as a member of the Board of Adjustment for a term to expire January, 1991.

Which was read.

Also,

No. 495 Resolution that the appointment by the Mayor of John Noonan, 815 Woodbourne Avenue, Pittsburgh, Pennsylvania 15226, is hereby appointed and confirmed as a member of the Board of Adjustment for a term to expire April, 1991.

Which was read.

Also,

No. 496 Resolution that the appointment by the Mayor of Timothy G. Uhrich, 137 Grandview Avenue, Pittsburgh, Pennsylvania 15211, be and the same is hereby approved and confirmed as a member of the Pittsburgh Water and Sewer Authority for a term to expire April, 1993.

Which was read.

Also,

No. 497 Resolution that the reappointment by the Mayor of James Burwell, 839 Eldora Place, Pittsburgh, Pennsylvania 15210, is hereby confirmed and reappointed as a member of the Board of Code Review for a term to expire December, 1990.

Which was read.

Also,

No. 498 Resolution that the reappointment of James G. Sterling, 6466 Pickering Court, Bethel Park, Pennsylvania 15102, is hereby reappointed and confirmed as a member of the Board of Code Review for a term to expire January, 1990.

Which was read.

Also,

No. 499 Resolution that the reappointment of Frank Schroeder, 515 S. Aiken Avenue, Pittsburgh, Pennsylvania 15232, is hereby confirmed and reappointed to the Board of Code Review for a term to expire December, 1990.

Which was read.

Also,

No. 500 Resolution that the reappointment by the Mayor of Judith Veres, 340 Amabell Street, Pittsburgh, Pennsylvania 15211, is hereby reappointed and confirmed as a member of the Board of Code Review for a term to expire December, 1990.

Which was read.

Also,

No. 501 Resolution that the appointment by the Mayor of Arthur Schock, 316 Fourth Avenue, 1001 Commonwealth Building, Pittsburgh, Pennsylvania 15222, is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

Also,

No. 502 Resolution that the

appointment by the Mayor of Eugene V. Dotter, 2068 Palm Avenue, Pittsburgh, Pennsylvania 15235, is hereby confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

Also,

No. 503 Resolution that the appointment by the Mayor of Anna Marie Guzman, 114 Doray Drive, Pittsburgh, Pennsylvania 15237, is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

Also,

No. 504 Resolution that the appointment by the Mayor of Stephen Cohen of 6621 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, be and the same is hereby approved and confirmed as a member of the Art Commission for a term of the Mayor.

Which was read.

Also,

No. 505 Resolution that the appointment by the Mayor of Louis Gaetano of 2428 Rose Garden Road, Pittsburgh, Pennsylvania 15220, be and the same is hereby approved and confirmed as a member of the Art Commission for a term of the Mayor.

In accordance with Chapter 175 of the Pittsburgh Code which states, "The Director of Public Works shall be a member ex-officio of the Commission," confirmation is not required by Council.

Which was read.

Also,

No. 506 Resolution that the appointment by the Mayor of Mark William McCormick, 5850 Centre Avenue, Pittsburgh, Pennsylvania 15201, be and the same is hereby approved and confirmed as a member of the Art Commission for a term to expire at the will of the Mayor.

Which was read.

Also,

No. 507 Resolution approving the appointment of Paul H. Bethel, 3324 Webster Avenue, Pittsburgh, Pennsylvania 15219, as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1990.

Which was read.

**Mr. Woods:**

Madam President and members of Council, I move to approve all reappointees and all members of Council.

**Mr. Pollock** seconded the motion.

**The Chair:**

What about the new ones?

**Mr. Woods:**

We'll bring them in this Wednesday to be interviewed by Council.

**The Chair:**

All in favor of that motion?

**Michelle Madoff:**

I abstain and I'd like to explain my abstention, Madam President.. I believe

Robert's Rules allows you to explain your abstention. And when you're through with the bills, all the other appointments, there are 24 appointments, 5 women, 1 minority — I've been on this Council 10 years in June; I served on a six month appointment to the Leasing Authority and I've not been reappointed. I think that if there's still such a great fear that I would audit whatever I sat on, that's the problem of the Administration. I do not plan to vote for anyone until my appointment to a board or commission is made.

WHICH MOTION PREVAILED.

**The Chair:**

It was moved, with one abstention, that all of the members of Council and all of the reappointments were approved —

**Mr. DePasquale:**

Point of order, Madam President. Did we vote on Mr. Woods' motion?

**The Chair:**

Yes, with one abstention.

**Mr. DePasquale:**

In other words, we confirmed all the reappointments and all members of Council, but we're going to have all the others in for an interview.

**The Chair:**

Yes, on Wednesday.

**Mr. DePasquale:**

These are the ones we're voting on now?

**The Chair:**

He read them all so that you would be aware of which ones were reappointments and which ones were new ones. It was moved and seconded, with one abstention, that all the members of Council and all the reappointments are approved. The new people will be brought in on Wednesday for interviews.

**Michelle Madoff:**

On another subject. Madam President, I think all of us are aware of the crisis that exists in our City on the Koppers potential take over. I have some great concerns. I know that the Shearson Company has been dropped by the Allegheny County Sanitary Authority. Alcosan is one of their people representing them in investments. I know the City of Pittsburgh will not use them.

I heard today that Senator Heinz is introducing legislation that would make it very difficult for a hostile take over by the Beazer people out of England. But my great concern, and incidentally for those who may want to know, Shearson is the same as American Express. I'm going to evaluate whether I'm going to keep my American Express Card and I urge everyone else to do that. I, unfortunately, have charged some tickets on it and I owe them some money. But I'm going to look very carefully at what happens as to whether I will get rid of my American Express and take another charge card.

In this morning's paper there's a full page advertisement stating their position, the position of Beazer. And in paragraph six, for those who may not have read it or don't care, they point out that "while the Koppers board and management has encouraged unwarranted fear and panic in your

community, they have been busy at work designing a drastic corporate recapitalization plan for Koppers including the possible sale of substantial portions of Koppers operation which would cause severe disruption to the Company's employees and community.

We have advised Governor Casey, Mayor Caliguiri and other public officials that we were prepared at any time to meet with them and explain first hand our intentions. We have offered again and again to meet with Koppers' management to discuss our plans but, unfortunately, they're unwilling to talk."

I have no way of judging whether it is appropriate for Koppers to meet with a hostile take over; I'm not a business genius. I don't think anybody on this Council is. But I think it is important that we do something before it is too late. We've lost Gulf; our major companies have cut back on employment. I arrived here in 1961; in 1988 we've gone from almost a 700,000 population to under 400,000. We can't afford to lose any more people.

It would seem to me that before we get to whether we should declare the Koppers Building an historic designation, and they can't take their building down or put it on wheels - I'm being facetious - that we need to have interaction with the Administration. We need to meet with our Mayor and we need to find out from Senator Heinz and others what they are planning to do to keep Koppers here. And further, we need to find out from Koppers whether this statement that is made by Beazer Company, that, "A substantial portion of Koppers operation will be sold which could cause severe disruption to the Company's employees and community" is true; severe disruption is a euphemism for laying people off and putting people out of work.

So, I suggest very strongly, Madam President, that you meet with the Administration and set up a meeting immediately, members of Council. Try to get some input from the legislative representative of Heinz' Office and to try to get Koppers to meet with us to say, "Is this true?" If indeed you go ahead with your plans to find a white knight, or what they're doing now is giving bonuses to stockholders to encourage them to vote against a take over, are they going to make up that money by cutting back on employment in this area? I don't want to find out after it has happened; I'd like to find out now if it's in the realm of possibility or whether we're going to generate more jobs. Or is there a good possibility that under the scenario Koppers is being accused by Beazer of indeed planning to cut back. I'd like to know, I think the public would like to know, I think members of this Council and the media would like to know.

Can we set up, Madam President, a request to the Mayor and to Koppers directly, that they meet with us and tell us what are the scenarios? One, in a hostile take over; two, in a white knight take over or a joint venture; and three, under the plan that they're anticipating now which is a bonus through generating revenue by sale of properties and by floating whatever corporate paper they can which is going to put a burden on their company. Are they planning to raise that money by putting people out of work and are they going to do it in our area? I think we need an answer to that question; those people working there are entitled to that. We can't sit idly by.

#### The Chair:

I'll be glad to write the letter and invite them.

**Mr. Ferlo:**

Madam President, I have three very, very brief points. One is, I note that in the appointments today that this individual member of Council, Mr. Ferlo, is not on the appointment list. I would remind the Administration that in the Home Rule Charter it is fairly specific that all Councilmembers shall be represented on an authority. That has not been the case. If there are vacancies on some of the other authorities, I will ask that Council introduce separate legislation making an appointment. I don't know if the Administration is holding out to organize an authority on doggy-do, but I would like a consideration and I communicated that desire months ago to the Administration. So, I would make that plea again.

On the issue of the public hearing tomorrow, I would make a motion that that public hearing tomorrow be televised concerning the trade union organizations who are coming in tomorrow to talk about the presence of non-union contractors on construction work. So, I'd like to make a motion to have the public hearing televised.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Thirdly, very briefly, I submitted legislation today, five different bills under the banner known as the Pittsburgh Hunger Act and I would like to make a motion to hold these bills for a public hearing.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Thank you very much, Madam President.

**Michelle Madoff:**

Madam President, on the first issue that Mr. Ferlo raised, since we're going to go through all of the issues then come back and discuss them afterward which is something new but this Council never surprises me. May I point out to my colleague, Mr. Ferlo, that I've been here over ten years and I had the distinct honor of being appointed to the Leasing Authority for six months and my term has expired. And while it may say in the Home Rule Charter that every member of Council should be appointed, don't count on it.

**Mr. Pollock:**

Two brief items, Madam President. On April 9th, the Smoking Ordinance takes effect and over the months, until that date, we've had numerous discussions, my office and Public Safety and the Legal Department and so forth.

Very instrumental in determining the interpretation and the enforcement and implementation of the ordinance have been some individuals from the private sector who have donated a considerable amount of time and expertise at no expense to the City and I wanted to publicly thank them at this time because there contributions should be noted; specifically, Attorney John Greeno from the law firm of Berkman Ruslander Pohl Lieber & Engel has spent a considerable amount of hours reviewing the ordinance, drafting enforcement guidelines, meeting with Public Safety officials and the Law Department, and never submitted a bill nor even considered submitting one. So, I really

want to thank him and his firm for allowing him to spend the time that he did.

In addition, Chuck Vukotich from the County Health Department and Bill Godshall from the County Health Department also donated a considerable amount of time to the implementation of this ordinance.

One other item. On Sunday, April 10th at 7:30, the Pittsburgh Public Theatre will be presenting the Second Annual Benefit Performance for the benefit of the Pittsburgh AIDS Task Force. The production is "The Normal Heart" and this is the second year in a row where the Public Theatre is having all the receipts from that night, as well as additional ticket prices of a greater contribution price, be turned over to the Pittsburgh AIDS Task Force.

So, I want to thank the Pittsburgh Public Theatre and its Executive Director, William Gardner, for doing that and I wanted to let people know about this. If they're interested in obtaining tickets, call 363-6503 to get information about this event.

**Mr. DePasquale:**

If I may, Madam President. There has been some talk, actually a proposal, that they may have a mall in the Downtown district. I realize that's a long way off. But as someone stated, I think a couple Councilmembers, if they don't have free parking in that mall they may as well forget about it.

But the point I'm trying to bring out is the overzealous tagging and towing that's going on in the City of Pittsburgh is absolutely horrible. They've killed Downtown. Just the other day I stopped down Sol Mintz, bought a suit, two for that matter and I'm paying for them with

my own money by the way, but at any rate, while I was in there --

**Michelle Madoff:**

Madam President, I object to Mr. DePasquale talking about his suits because when I talked about looking out the window at a barge that was under discussion, he objected to my speaking about a barge. I was on the bill; his suits are not on the bill.

**Mr. DePasquale:**

May I continue?

**The Chair:**

Please finish.

**Mr. DePasquale:**

While I was in the store a gentleman I happen to know, and that's beside the point, had his car towed. He was being fitted for a suit also. The only point I'm trying to make is that perhaps we can write a letter to the Chief of Police of the City of Pittsburgh or to the head of traffic to use a little discretion, especially between four and six. The least they can do is go into those stores and ask if the people whose cars are out there are in those stores. Even if they've ticketed the car, at least give the person a chance to get that car out of there before it's towed. I understand the towing charge now is something like \$90. The businessmen in town have said this has been going on for some time and they've just thrown their hands up.

In that block I'm talking about where Sol Mintz there's five vacant store rooms and I guess you know down the other end of the street there on Liberty Avenue and Penn Avenue, there are so many that you can't even count them. So, they've just driven these people out

of business. Every little bit helps and if they could use just a little discretion in regards to ticketing and towing.

**The Chair:**

Are you asking that we send a letter to the Public Safety Department?

**Mr. DePasquale:**

I'm not asking them not to do their job; I'm asking that they give somebody a warning, at least on a towing. It's murder. You have a guy towed, he comes out and has to get a cab to go down and get his car or whatever at ninety some dollars. It's ridiculous.

**Michelle Madoff:**

Madam President, on the same subject that Mr. DePasquale raises. I think we've raised this issue before in Council, that we ought to do what Alexandria, Virginia does. They have meters located at every single place you could possibly think of so people can park. They use the streets for parking, unlike Pittsburgh who keeps you off the Downtown streets, but they have specific hours and you cannot park during the rush hours. I think if we move in that direction, that we have more meters put up, that you cannot park for certain hours, we will give more parking spaces to people. If we just say no parking, say, four to six, but people could park Downtown from six o'clock on, going to restaurants. We will bring more people into the City. I think he's absolutely right; I think we're overzealous and I don't think we're doing ourselves any good. I think that other than the rush hour we should allow parking on streets even without meters as long as we're not obstructing the passage of the traffic. I think we are really not operating in our own best interest. And it might be a good idea to take a driving tour through

the Downtown area and other parts of the City and for this Council to recommend streets that we would suggest to the Administration to be available for parking.

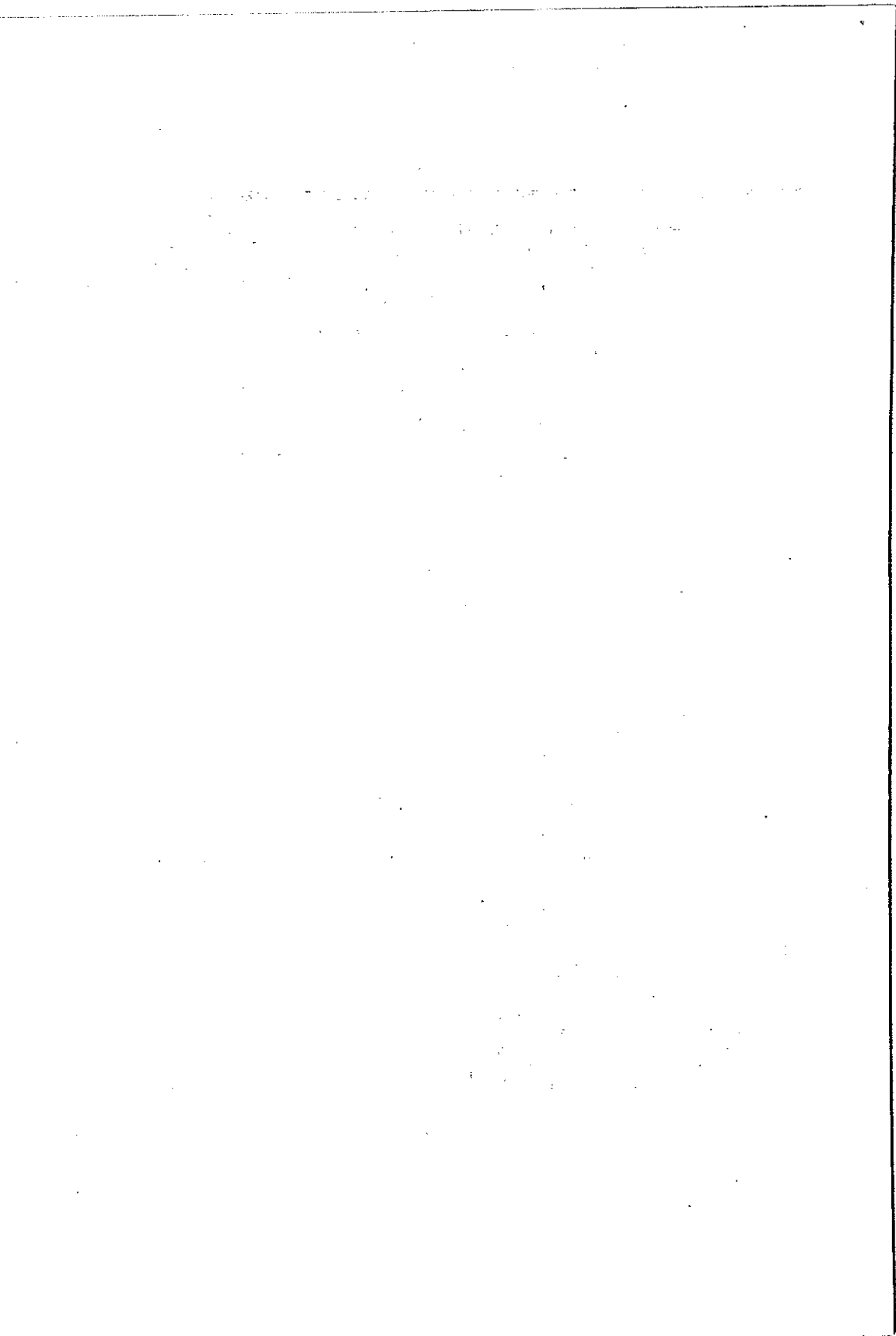
**Michelle Madoff** moved to approve the Minutes of Monday, March 14, 1988.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, April 4, 1988

No. 14

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, April 4, 1988

#### PRESENT:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

#### ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair presents

No. 540 WHEREAS, seventh grade students Emily Rosenthal of Sterret Classical Academy and Kimberly Byrnes of Schiller Classical Academy, and eighth grade students Amber Seligson and Jee Hong Min, both of Reizenstein Middle School, have been named winners in an essay competition sponsored by British Airways; and

WHEREAS, this competition, coinciding with the recent visit of Prince Charles to our City, has as the subject matter, a comparison of the role of the Prime Minister of Great Britain to that of the President of the United States; and

WHEREAS, these four students are now the recipients of the coveted prize of a trip to London, preceded by a one day tour of Washington, D.C., visiting the White House and other official buildings; and

WHEREAS, they will travel to London via British Airways for a four day tour of the City, with the highlight of their trip being a visit to the House of Commons in London where important decisions of government are made; and

WHEREAS, these young "Pittsburgh Ambassadors for Academic Excellence" leave today, April 4, 1988, to begin "an experience of a lifetime".

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and the Council of the City of Pittsburgh extend these exemplary, outstanding students our sincere congratulations and wish them a safe and exciting trip to London.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Coyne:

May I have the students from the Joseph M. Katz Graduate School of Business come forward, please?

I'd like to state while the folks are coming up right now that the projects that these folks have been working on in coordination with the Steel Valley Authority and the Tri-State Conference on Steel is an excellent example of our educational institutions working collectively with the Steel Valley Authority and working for the development of our industrial base and looking for ways and means to improve the lot of the workers who have been displaced by the inferior industry that has been going on lately.

Mr. Coyne presents

No. 541. WHEREAS, the Joseph M. Katz Graduate School of Business of the University of Pittsburgh has offered its current Masters of Business Administration students a project course in cooperation with the Steel Valley Authority; and

WHEREAS, this course, under the direction of Professor Carrie R. Leana, offers graduate credits to eleven students who have worked tirelessly conducting several studies on the feasibility of reopening the South Side

electric furnaces; and

WHEREAS, the Steel Valley Authority has found the information in these studies to be invaluable and the assistance of these students to be immeasurable; and

WHEREAS, the Katz School, through the creation of this project course, has provided valuable research for redevelopment in the Pittsburgh area with no cost to any local government or local authority.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend Dean H. J. Zoffer and his administration at the Joseph M. Katz Graduate School of Business of the University of Pittsburgh for their contribution to redevelopment in the Pittsburgh area; and

BE IT FURTHER RESOLVED, that this Council commends Dr. Carrie R. Leana and the students of the project course, John D. Betzler, R. Clairborne Capute, Nancy J. Deramo, Shari Foehring, Stefan A. Herzer, Michael Krajovic, William D. MacBlane, Karen Piercy, Anita Prizio, Larry D. Sadjia and Curt D. Zihmer for investing so much time and effort in projects that are sure to aid in the redevelopment of industry in the Pittsburgh area.

Mr. Coyne moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Coyne:

I'd like to have Professor Carrie Leana and also Dr. Dean Zoffer give a few words and Bob Erikson, if you'd like

to come too, please and give a word from the Steel Valley Authority.

**Professor Leana:**

Madam President, members of Council, Mr. Coyne, we thank you for honoring us here today with this resolution. As Councilman Coyne said, we've been working this semester with the Steel Valley Authority on some projects that investigate re-opening the electric furnaces on the South Side of the City. As you know, these furnaces have been closed for the past several years by the LTV Corporation and this has resulted in the loss of significant tax revenues for the City and also the loss of hundreds of jobs for area residents. We are very happy to be working with the Steel Valley Authority on these projects.

I wanted to take this opportunity to commend Bob Erikson and Jay Weinberg - Bob is with the Steel Valley Authority and Jay is with the Tri State Conference on Steel - for working with us so diligently and so competently this semester.

Finally, I want to take this opportunity to join Council in commending my eleven students here who, more than anyone else, have contributed to the project's success. Thank you.

**Dr. Zoffer:**

Mr. Coyne, on behalf of the Joseph M. Katz Graduate School of Business, I thank Council for this resolution. There is not much more valuable service that we can render as a university than to be relevant to the community of which we're a part. This is a great opportunity for us to indicate how academia and the community can work together in common cause.

I'm very grateful to the students who worked hard on this and to Professor Leana who directed them, and I hope there will be many other opportunities when we can show the relevance of our business school to this community and to help focus on some of its problems. Thank you very much.

**Mr. Erikson:**

The Steel Valley Authority has found the projects the students have just completed to be very helpful for our efforts to restart the South Side mill. It was something that we would have had to hire outside consultants to do in most cases. It was done, I think, very competently by the students of the Katz Graduate School of Business and I think it has been very helpful to us in moving forward and I think ultimately it will benefit everybody in the City of Pittsburgh. Thank you very much.

**Mr. Ferlo:**

Would Kay Tillow and Ann McLemore and Frank Lupinacci please come forward.

**Mr. Ferlo presents**

No. 542 WHEREAS, all American families share the need for family and medical leave, quality child care, services for the elderly, comprehensive health care, and equity in quality education; and

WHEREAS, all of these things are a part of a broader and increasing need for economic justice, including job security, a decent standard of living, and a right to a voice on the job; and

WHEREAS, over 54 million women are in the American work force and according to the Labor Department's Bureau of Labor and Statistics, about

53% of children under age 6 have mothers in the labor force this year, including 50% of those who were 1 year old or less, a dramatic increase over the last decade; and

WHEREAS, the wages of both parents in a two-earner household and those of a single parent are, in these tough economic times, essential contributions to maintaining even a basic standard of living, making the likelihood of women leaving the workforce to care full time for families nonexistent; and

WHEREAS, single parents and families where both parents work are increasingly torn between caring for their children and elderly relatives and productive performance on the job, especially when their family members are sick, or when a new child is born; and

WHEREAS, the average price tag for child care is \$3,000 per year, half the income of a minimum wage family, and 37 million Americans have no health insurance and another 50 million have inadequate coverage; and

WHEREAS, care for our elderly is scarce and expensive and the 14.5 million middle class citizens over 65 years of age with no family available to help must pay \$300 to \$400 a week for such care; and

WHEREAS, these problems are compounded by the still prevalent problems of racism and discrimination for Black, Hispanic and Asian American families; and

WHEREAS, it is a disgrace that our nation has not set as a goal the need for a National Family Policy; and

WHEREAS, the Coalition of Labor Union Women is sponsoring the AMERICAN FAMILY CELEBRATION:

WORKING FOR CHANGE, which will be held on Saturday, May 14, 1988, from noon to 5:00 p.m. at the Sylvan Theatre, near the Washington Monument in Washington DC - an event designed to bring national attention to all of these working family issues and more; and

WHEREAS, the AMERICAN FAMILY CELEBRATION is currently endorsed by the AFL-CIO and many other national organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh endorses the AMERICAN FAMILY CELEBRATION: WORKING FOR CHANGE; and

BE IT FURTHER RESOLVED that, by so endorsing, we send a clear message to Congress and to the Presidential candidates of both parties, that the problems facing American families every day are crucial to our nation, and demand their personal attention.

Mr. Ferlo moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. Since it was a lengthy resolution I don't have to make a speech but I would like to introduce three individuals to my left; Kay Tillow, Vice President of District 1199-P of the National Union of Hospital and Health Care Employees and also President of the Coalition of Labor Union Women Chapter; Ann McLemore who, I believe, is a Vice President with the Amalgamated Clothing and Textile Workers' Union as well as a leader in the Clue Organization; and Frank Lupinacci who many of you know is the Co-Director of AFL-CIO.

**Ms. Tillow:**

I'd like to thank Councilman Ferlo and all of the members of Council for your support. We strongly believe that we will not solve the increasing problems of our family and the lack of health care and the lack of child care unless we can get some federal legislation. We are ashamed that we are the only industrialized country outside of South Africa that doesn't have a national family policy so we're putting it on the agenda and we have a local coalition. Busses are going from the Steel Workers' Union and from the Steel Workers' Retirees, from the Amalgamated Clothing Workers, from the Communications Workers' and the Urban League and the NAACP and the National Council of Negro Women and the Women for Racial and Economic Equality are a part of it.

So, we invite you to in any way help with this. If you would like to contribute money or send busses, we would appreciate it. We are going to D.C. to put on the agenda the right to health care, the right to child care, the right to care for our senior citizens, the right to a job, and the right to economic security for all of our American families. Thank you.

**Mr. Lyons:**

Would the Housing Authority and Commission on Human Relations representatives come forward please?

**Mr. Lyons presents**

No. 543 WHEREAS, the United States Congress created Fair Housing as part of this nation's Civil Rights Law twenty years ago; and

WHEREAS, the Commission on Human Rights of the City of Pittsburgh

had established the Fair Housing Program as an integral part of the Commission long before passage by the U.S. Congress; and

WHEREAS, the excellence of the fruition of the Fair Housing Program of the City of Pittsburgh can be easily recognized for the purpose which it was created; and

WHEREAS, we salute Director John Gabriel, Chairperson Alma Speed Fox and the entire Commission for maintaining and preserving the principles of the Fair Housing Laws.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby proclaim the Month of April, 1988 as "FAIR HOUSING MONTH" in the City of Pittsburgh to commemorate the 20th Anniversary as created by the U.S. Congress.

**Mr. Lyons** moved to adopt the resolution.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Gabriel:**

On behalf of the Commission and the staff and many others in the Pittsburgh community, we appreciate this resolution from Council. As the resolution indicates, the City has had a Fair Housing Law longer than the national law. But the importance of the national Fair Housing Law, I think, is particularly significant today as we recall the assassination of Dr. King, and we know how hard he worked on behalf of a national law.

The second reason I think it's important is it does publicize to all of the area residents that they do have a

right to be treated fairly in the housing market.

Again, our thanks to you.

**Michelle Madoff and Mr. Pollock present**

No. 544 WHEREAS, Acquired Immune Deficiency Syndrome, a viral disease commonly known as AIDS, is a fatal illness for which there is no cure or immunization; and

WHEREAS, AIDS is being contracted by ever-increasing numbers of Americans and the only tools to combat the disease are education and prevention; and

WHEREAS, The Pittsburgh AIDS Task Force, which was founded in 1985, is an organization of effective and compassionate volunteers who provide medical, emotional and legal support to AIDS victims and their families and work to protect the community against the spread of this course; and

WHEREAS, on April 10, 1988, the Pittsburgh Public Theater will present a performance of the play, "The Normal Heart", for the benefit of the Pittsburgh AIDS Task Force as a means of obtaining much needed funds, increasing awareness of the agency and raising consciousness about the fatal illness.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of April 10 through April 17 as AIDS AWARENESS WEEK in the City of Pittsburgh and thanks the Pittsburgh Public Theater, its Producing Director William Gardner and the Pittsburgh AIDS Task Force for this extremely important event.

**Mr. Pollock** moved to adopt the resolution.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

This is the second year that the Pittsburgh Public Theater has been so gracious and benevolent to donate a one night performance and the benefit proceeds go to the AIDS Task Force. It's truly an incredible event and we are honored to have William Gardner, one of the finest directors in the country, be here to receive it along with Carey Stoner, the Director of the Pittsburgh AIDS Task Force.

**Mr. Gardner:**

Madam President and members of Council, I'd just like to take this opportunity to thank you on behalf of the Chairman of my Board, James Roddey, and the Chairman of our benefit on Sunday night, Don Brockett, for this resolution. And just more broadly, to thank the Council, the Mayor and the City agencies for the help that they have given the Pittsburgh Public Theater over the years. Our current success is directly attributable to that help.

I'd like to introduce Carey Stoner, Executive Director of the Task Force.

**Mr. Stoner:**

Madam President, members of Council, and guests, I would like to tell you that I'm very proud and honored to be here on behalf of our Board of Directors, our volunteers, our supporters and the people with AIDS, the families, their friends and their loved ones who thank you for your leadership, for your support, both in bringing the attention of this problem to the people of the City of Pittsburgh, and your support in dollars in the past year.

In 1984, whenever the seed for Pittsburgh AIDS Task Force was first planted here, I would think it safe to assume that most Pittsburghers assume that AIDS would never and could never truly be a problem in the City of Pittsburgh. It simply would not happen here, not in 1984. That is something which, unfortunately, has proven to be untrue and the people who founded the Task Force early in 1985, unfortunately, have had very accurate vision and the future has come upon us very quickly.

In our early days there were fewer than 40 cases of AIDS in Allegheny County. These are residents of the County who have developed AIDS while living here. Today, in 1988, there are over 160 residents who have developed AIDS thus far and by the end of 1991, only 44 months from now, there will be over 1,000 residents with AIDS in Allegheny County. This is only the tip of the iceberg of the 3,000 to 7,000 people in Allegheny County and the City of Pittsburgh who are currently infected with the human immune deficiency virus.

Who are these people who have AIDS and who are the people who are infected with this virus which we try to prevent? They are men and women, young and old, black and white, straight and gay, children who have behaviors that put them at risk for this virus.

As we work hard to make better this most liveable City, we must ensure that it is as liveable for people with AIDS. There must be quality care that does not discriminate on the basis of ability to pay. There must be alternatives to long-term acute care stays which are unnecessary because no alternatives exist. There must be accommodations for portable housing for people and for households which have been financially decimated by this illness. There must be support, both

practical and emotional, not only to the victims of AIDS but also to their families, friends and loved ones.

As we examine the needs of our ever-growing population in this City of older Pittsburghers, our senior citizens, will we have the foresight to understand that many of our senior citizens will be called on in the years to come to care for their children now in their 20s, 30s, and 40s who will be coming home because they have AIDS?

As we work to provide parity for black men and women and children in this City, will we work to ensure that they do not disproportionately suffer from AIDS for the same reasons that black men and women and other people of color have suffered disproportionately from other illnesses?

Today, directly as a result of your support in the past year and the work of people like Bill Gardner and the Pittsburgh Public Theater, I'm proud to tell you that much has changed. Today we have an office; last year we did not. Today the Task Force is 200 volunteers strong; we operate a hotline ten hours a day that answers questions for people, directs them to services and testing sites; we provide direct support to 45 people with AIDS right now, this moment. In addition, we have strong prevention programs underway to help meet the needs of people at risk, including collaborative efforts in relationships with organizations which are respected in the communities that they serve such as Alma Illery Medical Center and the Family Health Counsel of Western Pennsylvania.

We are most appreciative, and I cannot underscore enough to you all, the significance of the support of this Council and its leadership over the years to come. AIDS, unfortunately, will

continue to be with us.

I'd like to thank you again as well as acknowledge the Pittsburgh Public Theater for their support, again, for this proclamation which will bring the attention of the issue of AIDS to the people of this City and help rally them in their support. Thank you.

**Mr. Pollock presents**

No.545 WHEREAS, the National Institute of Health has recognized the University of Pittsburgh School of Medicine, Pulmonary Department, as one of ten major medical centers to participate in the National Lung Study; and

WHEREAS, the Surgeon General of the United States has concluded that cigarette smoking is the major cause of chronic obstructive pulmonary disease in the United States for both men and women, and further, that cigarette smoking contributes more to morbidity and mortality than any other factor; and

WHEREAS, chronic obstructive pulmonary disease is the fifth leading cause of death in the United States; and

WHEREAS, the new Smoking Pollution Control Ordinance shall become effective on Saturday, April 9, 1988 and individuals who wish to quit smoking may find this study to be beneficial.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Lung Health Study at the University of Pittsburgh School of Medicine; and

BE IT FURTHER RESOLVED, that the Council encourages all qualifying City residents to participate in the Lung Health Study.

**Mr. Pollock** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

The City truly is blessed to have us be one of the ten cities that are picked for this study because people with problems are being analyzed at no fee to themselves. Currently this week in the lobby of the City County Building some of the preliminary screening is being done and we're very fortunate to have Dr. Rogers from the University of Pittsburgh School of Medicine be here to receive it and say a few words.

**Dr. Rogers:**

Thank you very much. I'm now known as Rob Rogers' father rather than Dr. Rogers, the political cartoonist. I take no responsibility for what he does; I have no editorial to write.

I'd like to thank Madam President and the members of Council for their foresight in opening the City of Pittsburgh to all its residents.

We had thought in the past that smoking is a personal behavior that is harmful and its probably the leading most harmful activity in this country. The facts are that it is harmful in a secondary way; that is, people with heart and lung disease cannot participate, cannot go to public gatherings because this smoke will impair their lung function or their heart function.

Furthermore, it is very clear now, and the data is overwhelming, that secondary smoke can cause cancer of the lung and chronic obstructive pulmonary disease. Our study is to look at chronic



obstructive pulmonary disease and try and gain some insight into the factors that cause some people to be more impaired than other people. As stated, there are about 10 million Americans struck with this disease; it is the leading cause of disability estimated at \$40 billion paid a year. Smoking is the overwhelming etiology. We are going to screen up to 12,000 people to get 600 enrolled. We already have 300. The benefits to Pittsburgh are they are free screenings; two-thirds of the people will receive an intensive smoking intervention program and all will be followed for five years with pulmonary function analysis.

We are very pleased to have received this grant which is close to \$3 million and at the moment has brought employment to 25 individuals in the Pittsburgh area as well as recognition. And I would like to amend the Council for your foresight in seeing that smoking, indeed, is a health hazard for everyone, not just the smoker. Congratulations.

**Mr. Wagner:**

Madam President and members of Council, I would like to ask Randy Wingard, Vice President of Administrative Services for Koppers Company to step forward and Bob O'Gara, Director of Advertising, to receive this resolution.

**Mr. Wagner presents**

No. 546 WHEREAS, Koppers was established in 1907 to design and build chemical-recovery coke plants for the American steel industry, and was incorporated in 1944 becoming Koppers Company, Inc.; and

WHEREAS, two core businesses now make up the heart of Koppers, Construction Materials and Services and

Chemical and Allied Products, employing approximately 10,000 people nationwide, with 1,150 employed locally; and

WHEREAS, Koppers Company, Inc. ranks as the 10th largest publicly owned company in the area; and

WHEREAS, the Koppers Company Foundation, founded in 1952 by Koppers Company, is one of the largest Pittsburgh area charitable trusts and foundations, contributing millions of dollars through the years to higher education, the arts, hospitals and community funds; and

WHEREAS, Koppers Company, Inc. is the target of hostile takeover by British based BNS Inc., led by Beazer PLC and investment bank Shearson Lehman Hutton Inc.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh vehemently opposes any unfriendly, hostile takeover of Koppers Company, Inc., which is a vital and thriving part of the Pittsburgh Community; and

BE IT FURTHER RESOLVED, that the Council denounces the greedy and self-serving role of Shearson Lehman Hutton, Inc. in the attempted hostile take-over of Koppers Company Inc.; and

BE IT FURTHER RESOLVED, that the Council strongly supports the efforts of Governor Casey, Pennsylvania Treasurer G. Davis Greene and Mayor Caliguri to thwart the unfriendly, hostile take-over and will assist in any way possible to ensure that Koppers Company, Inc. remains a Pittsburgh based company.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Members of Council, as you know, I obtained signatures from all of you for this resolution later last week and it has been sent to various people including the Governor, the Mayor, our Treasurer in the Commonwealth and Peter Cohen, Chairman and CEO of Shearson American Express, and also several people in the Koppers Company.

In a moment, I'd like Randy Wingard, Vice President of Administrative Services to say a few words.

We all know what happened several years ago with Gulf Company; we lost thousands of jobs in this City. We all know what happened this past weekend with Herbeck and Held; we lost 180 jobs. We cannot afford to lose Koppers Company and basically that is what we are presented with now. And we need to do everything humanly possible in the City of Pittsburgh over the next several days and weeks to prevent that from happening. I, for one, have been a supporter of American Express over the years; I have an American Express credit card and I will continue to have an American Express credit card, but not if a hostile takeover occurs. I will never have an American Express credit card again and I would hope that everyone in the Pittsburgh community and Western Pennsylvania would do the same. We need to send as strong a message to American Express, Shearson Lehman and Beazer, as possible. And I hope Randy Wingard can tell us how we can help in any other ways.

**Mr. Wingard:**

Madam President, members of Council, on behalf of all the employees at Koppers, I want to tell you how much we appreciate the support that you have shown in the past and the support that Council is now showing by joining in the state of Pennsylvania, Governor Casey's office and in the County of Allegheny and in the City of Pittsburgh's continuing support of Kopper's effort to survive.

I can assure you that even as we speak here, the effort is continuing. The people at Koppers have been fighters for a long time. We fought to reorganize our company, we fought for market share, we fought competition. In my 35 years with Koppers, I can tell you that this is the toughest battle that we've been in. But I can also tell you that it is the most gratifying struggle in which I have ever been involved because of the tremendous support that we have received from the people here in the City of Pittsburgh and indeed throughout the state of Pennsylvania and from our Congressional delegation from Pennsylvania. Koppers has a lot of support and we appreciate it very, very much and we certainly and sincerely appreciate what Council is doing in recognition of that support this morning.

I can tell you that the most effective action that you can take is the action that many of you have already taken; and that is to express your protest of this takeover effort engineered by Shearson Lehman American Express by writing or calling to Peter Cohen, Shearson Lehman American Express, in New York City, or to James Robinson who is head of American Express in New York City. Write them a letter, make a phone call to them; do anything that you think is appropriate to let them know that you do not feel that investment bankers should be involved in hostile

takeover activity in the unprecedented manner in which they are involved. I can guarantee you that Koppers and its employees will do their dead level best to keep the lights on in the Koppers Building and not let it become dark like the Gulf Building. We appreciate the support that you've given us and we know that we can count on it in the future. Thank you very, very much.

**Mr. Coyne presented**

No. 507 Resolution providing for an Agreement or Agreements with the Community College of Allegheny County for professional services in connection with the City's Summer Employment Project for Mentally Retarded City residents at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1100 (Index Code 110007) Miscellaneous Services, Department of Personnel and Civil Service.

—(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Finance.

Also,

No. 508 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account PR 88-03, Fence Repair, Department of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 509 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting

authorization for Paul Leger to attend the AAZPA Northeastern Regional Conference in Salisbury, Maryland from May 1-4, 1988, at a cost not to exceed \$597.45, payable from Code Account No. 1852. Zoo professionals meet at AAZPA conferences to present and hear papers on management and breeding of endangered species, development and success of new exhibitry, scientific research projects, Zoo education programs and visitor services. The sessions will enable the Pittsburgh Zoo staff to remain current on these topics, other topics related to the maintenance of the Zoos accreditation, and to engage in information exchange.

Also,

No. 510 Communication from Carl Mancuso, Deputy Director, Department of Parks and Recreation, requesting authorization for Dr. Robert Wagner to attend the American Association of Veterinarians Mid-Atlantic States Association of Avian Veterinarians joint conference in Washington, D.C. from April 16-22, 1988, at a cost not to exceed \$1,200.00, payable from the Aviary Trust Fund. MASAAV will conduct Avian wet labs on April 16 and 17 in gross pathology, evaluation of incubation problems, necropsy techniques, orthopedic surgery, radiology and microbiology. April 18 will be dedicated to lectures on Avian specialties. April 19-22 will be dedicated to the general sessions of the AAV/AAHA conference.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 511 Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of an Aviary Quarantine Building and various

Miscellaneous Repairs at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 87-21.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 512 Resolution amending Resolution No. 93, effective February 16, 1987, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering design services in connection with the Renovations to Bloomfield Pool, Recreation Center and Outdoor Recreation; and providing for the payment of the cost thereof," by providing for the use of existing Agreements.

Also,

No. 513 Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Sidewalk Ramps for the Handicapped at various locations in the City of Pittsburgh at a cost to exceed \$250,000.00.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. Lyons** presented

No. 514 Resolution providing for

an Agreement or Agreements with the East End Cooperative Ministry for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$18,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 515 Resolution providing for an Agreement or Agreements with the Bethlehem Haven for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$17,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 516 Resolution providing for an Agreement or Agreements with the Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$17,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 517 Resolution providing for an Agreement or Agreements with Miyram's for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$9,000.00, chargeable to and payable

from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 518 Resolution providing for an Agreement or Agreements with the Northside Common Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$13,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 519 Resolution providing for an Agreement or Agreements with the Whales Tale for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$24,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 520 Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$20,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 521 Resolution providing for an Agreement or Agreements with the Women's Center & Shelter for the

payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$90,643.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Also,

No. 522 Resolution providing for an Agreement or Agreements with the Community Human Services for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program at a cost not to exceed \$77,357.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP TRUST FUND".

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 523 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; providing for the execution of grant contracts and for the filing of other data; providing for required

assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account. The total amount expected to be received in connection with this program is \$46,000.00.

Also,

No. 524 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for himself, to attend a conference on waterfront development in New York City from May 12-13, 1988, at a cost not to exceed \$1,200.00, payable from Code Account No. 1103. The value of these workshops and case studies is that they will be about waterfront developments, including several on rivers, that are not the more well-known examples about which we already have much information.

Which were read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 525 Communication from Councilwoman Michelle Madoff, requesting authorization for Carmen Guenther, to attend a seminar entitled, "Women's Work," Harrisburg, PA, April 13, 1988, at a cost not to exceed \$100.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council. The seminar will center around programs such as day care, pay equity, displaced homemaker, single parenting, vocational training, education, and welfare reform.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 526 Resolution Repealing Resolution No. 828, Item A, approved September 29, 1986, which authorized the sale of property in the 13th Ward, being a 1-1/2 story, brick house on a 63.61 X avg. 121.55 lot, located at 620 Haverhill Street, designated as Block 175-D, Lot 208, to Ledger Diamond, for the sum of \$5,000.00. The reason for the above repealing resolution is that the structure has suffered fire damage severe enough that the Bureau of Building Inspection has posted a Notice of Condemnation and recommends that the building be razed.

Also,

No. 527 Resolution amending Resolution No. 446, Item G, approved May 29, 1987, which authorized the sale of property in the 15th Ward, being a 2 story, frame house on a 61.5' X 195' X 62.21' lot, located at 224 Hazelwood Avenue, designated as 56-C-319, to Larry Minnock, for the sum of \$8,500.00. The reason for the above amendment is to reduce the sale price from \$8,500.00 to \$1,500.00 as the house has suffered extensive damage through vandalism. It will, therefore, save the City the cost of demolition.

Also,

No. 528 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 529 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting authorization for Barbara

King to attend a workshop at the request of the PA Department of Labor and Industry in Philadelphia, PA on April 4, 1988, at a cost not to exceed \$330.00, payable from the JTPA-1 Trust Fund. The purpose of the trip is to receive instructions in developing a proposal for an Urban Service Corps.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 530 An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1987 Edition and a new Title Ten - Building, 1987 Edition.

Which was read and referred to the Committee on Public Safety.

Also,

No. 531 Resolution Repealing Resolution No. 379, approved May 5, 1986, effective May 8, 1986 entitled: "Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, on site delivery and installation of a Firearms Training System for the Department of Public Safety, Bureau of Administration Training Center at a cost not to exceed \$40,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account (PSTA)."

Which was read and referred to the Committee on General Services.

Also,

No. 532 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Police Officer Regina McDonald,

Bureau of Police to speak at the Seventh Annual Crime Protection Symposium in White Haven, PA from April 6-8, 1988, at a cost not to exceed \$180.00, payable from Code Account PSTA. Officer McDonald will be speaking on the DARE Program. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 533 Communication from Lou Gaetano, Director, Department of Public Works, requesting authorization for Jeff Horan and Ed Capretta to attend the Annual North American Snow Conference in Des Moines, Iowa from April 10-13, 1988, at a cost not to exceed \$1,700.00, payable from Code Account No. 1502. This four day conference will enable our Department to keep up with the new equipment and techniques used by other Public Works Departments throughout the country. (PRIOR APPROVAL GRANTED)

Also,

No. 534 Communication from James Norman Walker, Director, Department of Environmental Services, requesting authorization for Robert Lewis and Phyllis Gibson to attend the Executive Committee Meeting of the Pa. Vector Control Association in State College, PA from April 7-8, 1988, at a cost not to exceed \$220.00, payable from the Rodent Control Program Account.

Which were read and referred to the Committee on Public Works.

## UNFINISHED BUSINESS

### The Chair presents

No. 495 Resolution that the appointment by the Mayor of John Noonan, 815 Woodbourne Avenue, Pittsburgh, Pennsylvania 15226 is hereby appointed and confirmed as a member of the Board of Adjustment for a term to expire April, 1991.

Which was read.

Also,

No. 496 Resolution that the appointment by the Mayor of Timothy G. Uhrich, 137 Grandview Avenue, Pittsburgh, Pennsylvania 15211, be and the same is hereby approved and confirmed as a member of the Pittsburgh Water and Sewer Authority for a term to expire April, 1993.

Which was read.

Also,

No. 501 Resolution that the appointment by the Mayor of Arthur Schock, 316 Fourth Avenue, 1001 Commonwealth Building, Pittsburgh, Pennsylvania 15222 is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

Also,

No. 503 Resolution that the appointment by the Mayor of Anna Marie Guzman, 114 Doray Drive, Pittsburgh, Pennsylvania 15237, is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

Also,

No. 504 Resolution that the appointment by the Mayor of Stephen Cohen of 6621 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, be and the same is hereby approved and confirmed as a member of the Art Commission for a term of the Mayor.

Which was read.

Also,

No. 506 Resolution that the appointment by the Mayor of Mark William McCormick, 5850 Centre Avenue, Pittsburgh, Pennsylvania 15201, be and the same is hereby approved and confirmed as a member of the Art Commission for a term to expire at the will of the Mayor.

Which was read.

Mr. DePasquale moved to approve the appointments.

Mr. Lyons seconded the motion.

Mr. Ferlo:

Discussion. Madam President, I cannot in good conscience vote for five of these individuals for various reasons, and I'll be very brief.

First of all, on two of the appointees, Anna Marie Guzman and Arthur Schock, I made the comment at the Wednesday hearing that these two individuals, while they have wonderful resumes, are not residents in the City of Pittsburgh. And on a fundamental issue with me, not only with employees needing to have residency but I think people in important decision making capacity in the City of Pittsburgh on the



various boards, commissions and authorities, I'll be darned if I'm going to vote for somebody who is not a City resident and who is not willing to make a commitment to the City in that regard. So, on those two individuals, I would have to vote no on that reason alone.

On the issue of Mr. McCormick, in reviewing his resume, he is currently, I believe, a City resident; however, he has only been a resident for the last several months, if that information is accurate on his resume. I think the City of Pittsburgh has a wealth of individuals from the art and cultural community who are residents in the City who I think could lend a hand and have good input into the Art Commission, a commission, as far as I'm concerned, that needs some improvement reviewing the situation of the great windmill statue which will grace our Golden Triangle in some time to come. I think there are a lot of good people that are community based that have a contribution to make in regards to art and I think the Mayor could have chosen someone who has a long standing involvement in the community. So on Mr. McCormick I will also be voting no.

On Mr. Uhrich from the Mayor's Office, again, a gentleman I don't really know too well, he obviously is a good person but I would make the point that on the important authority of the Water and Sewer Authority, I think we should reach outward to the Chamber of Commerce, to the business community, to the corporate community, to the environmental community. There are many other people outside of a political appointee of the Mayor's Office who could have been considered and should be considered for appointment to a very important Water and Sewer Authority, an authority that has gone out on a debt service of millions and millions of dollars. So, not only for management reasons but for a whole host of reasons, I

think we should have looked elsewhere to find someone who could make a contribution aside from an individual who is basically involved with political activities for the Mayor's Office.

My fifth concern is on Mr. Noonan from the URA, a gentleman who is obviously very well qualified, lives in Brookline. He's a good person and I don't dispute that. However, I am concerned that he is replacing a Mr. Edward Walkowski from the Lawrenceville community who I believe has served in good faith and has done a very good job serving on the Board of Adjustment for at least a decade, if not longer. I don't know if there's any truth to the matter that the reason why he was not reappointed is that he's a few months shy of getting a pension. I don't know if that's the case but I would like that information brought forward if someone knows that.

**Mr. DePasquale:**

He is about nine months short of a full pension.

**Mr. Ferlo:**

I stand corrected; he is a few months, nine months, short of a full pension. I believe he's been on this Board of Adjustment, he has spent a lot of time and energy and he certainly is a good person. I think the Mayor's letter to Council was misleading in the sentence that it says that Mr. Walkowski chose to retire. I don't think that is the case at all and I would urge members of Council to please join with me in voting down Mr. Noonan, not because Mr. Noonan isn't qualified, but I think we should vote him down and send a message back to the Mayor's Office that he should consider reappointment of Mr. Walkowski.

So, on those individuals, I stand in

opposition.

**Mr. DePasquale:**

Point of order, Madam Chairman. In regards to the non-City residents on the boards or authorities, I thought there was sort of an unwritten agreement in Council that we wouldn't approve them. In fact, that's the only question that I usually ask them, if they live in the City. If they say yes, okay; if they say no, I'm against them. I'm against the non-City residents.

**The Chair:**

All of these non-City residents are businessmen in the City of Pittsburgh and that's why the Mayor appointed them. They work in the City, they employ people in the City.

**Mr. DePasquale:**

I just thought that we had sort of an agreement that we would not approve of non-City residents.

And in regards to Mr. Walkowski, if I may. He told me - I've known Ed most of my life, I went to high school with him and he's a very good friend - that he was nine months short of a full pension. Mr. Noonan, and I want to make it clear, is also a very good friend of mine and I couldn't very well vote against his appointment, although I understand one of the Councilpersons is going to want to hold that and it's alright with me. But I was just wondering if we could talk to the Mayor or somebody in the office and perhaps employ Mr. Walkowski for the next nine months so he would have a full pension rather than let him go with nine months short of a full pension.

**Mr. Coyne:**

Madam President, I share the

concerns of Councilman Ferlo and Councilman DePasquale as to the residency requirements. Regardless if Mr. Schock and Ms. Guzman do operate and work in the City of Pittsburgh, they are not residents and I think if Council is going to push residency requirements for City employees, and even though these are unpaid positions, that what we need to do is start setting a precedent and listening to our own beliefs and our own rules. Therefore, I would not be able to vote for either one of those individuals.

**Mr. Lyons:**

I have a question. I noticed on the appointment agenda that in accordance with Chapter 175 of the Pittsburgh Code which states that the Director of Public Works shall be a member ex-officio of the Commission, confirmation is not required by Council.

**The Chair:**

Just the Director of Public Works.

**Mr. Wagner:**

Madam President and members of Council, I think there's some concerns about several members being appointed here and I'm not suggesting that they should come back in front of Council; they have done that, the new appointees. But I think it would be in the best interest to hold the appointments for a week or two and I raised the question last week, my concern for Mr. Walkowski. Since then I've been able to gather a little bit of information; I'd like a little more time. So, if the Chair and the majority of Council would permit, I'd like to move to hold all appointees for two weeks.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

## REPORTS OF COMMITTEES

**Mr. Pollock presented**

Bill No. 535

Report of the Committee on Finance for March 30, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 250

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the administration of the City's Worker's Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed one hundred thousand dollars (\$100,000.00), chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Index Code 004408, Department of Finance." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. DePasquale:**

Madam President, I wasn't at the Finance session Wednesday. In regards to the professional agreement with the Workmen's Compensation Program, we made a compromise, apparently, from \$600,000 to \$100,000, but someone told me that there was some talk that if they needed more money they could come in and ask for it. Is this the understanding?

**Mr. Lyons:**

Whatever they need, it was

understood then that they would have to come back to Council and they would hold the vendor's name secret and wouldn't tell the Council, and we agreed to that.

**Mr. Ferio:**

We didn't agree to that. That's what they said they would do; we didn't agree to it.

**The Chair:**

Mr. Pollock, it's your bill; is that your understanding?

**Mr. Pollock:**

They don't have to tell Council if they don't want to.

**The Chair:**

That's your answer.

**Mr. Wagner:**

Madam President, on Bill No. 250, the Workmen's Compensation, I would like my comments brought forward for the Record from last Wednesday's meeting.

**Mr. Woods:**

I would like my remarks brought forth also.

(REMARKS ON FOLLOWING PAGES)

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(MR. WAGNER'S REMARKS ON BILL NO. 250-Wednesday, March 30, 1988)

Mr. Wagner:

Well, we are talking about two issues on this bill, and in regard to talking about two issues -- actually, we have only talked about one issue and the issue pertains to the legislative format by which professional service contracts are approved by this Council. I guess in the hour and a half that we have had discussion, that has been the discussion and we really haven't talked to any great length about the intricacies of Bill No. 250, and that is what I am really concerned about. And the reason I say that, is that obviously the issue of how these contracts are approved, there are two schools of thought; the Administration and Council. And it pertains to many pieces of legislation. And I would suggest to the Chair that maybe there is a need for another public meeting pertaining to that issue in general as it relates to all contracts. And it would also pertain to this bill, naturally.

Possibly the reason why everyone is talking in great length is the frustration over the workers' compensation problem. And I know that is where my frustration is, in knowing that we had \$12 million per year in losses three years ago, right now we are at \$16 million approaching \$18 million, and the fact remains that that could go higher. So obviously, we want to have assistance, we want help. And that is the reason for the professional services contract about which we are talking about and disagreeing on the method by which it is approved.

The \$16 million or \$18 million, whatever the accurate figure is, is a very serious, serious problem. And I think that relates directly to the professional administrator as to what product we are getting from that professional administrator to help us stabilize or reduce that financial obligation. Just to say that the \$16 million or \$18 million, if we ever cut that in half, which almost appears to be unlikely at this point, or if we can stabilize it rather than going into the operating dollars for more millions, we can provide the public more services. And that is really the intent here, and I think that is the reason why this issue is so important, two-fold; the cost is dramatic, and No. 2, people who are genuinely injured are hurt, and they are hurt and they may be off on a temporary basis or permanent basis. So we want a professional administrator. And I use the word "professional" because we want someone who can provide us with the advice we need to address that serious problem and hopefully reduce that problem.

I just want to say I know there has been some discussion about length of contract, and I would hope through some discussion here, private discussion, that I know we talked about a one year contract possibly. This has been worded I believe as a three year contract. I am in support of the three year

contract because I believe in order to get true professional companies to bid on the contract they need to know that they will have a shot at a three year contract in order for them to give us their best proposal, whatever that is.

As it relates to the proposal, what I am concerned about and really concerned about are the conditions of the contract. The conditions of the contract to the point where what will we be getting under this new contract, and this is my question. What will we be getting under the new suggested contract from a professional insurance administrator that will help us to better handle our worker's compensation problem? And so I ask, I suspect, Mr. Turner and Mr. Young that question: What, in concrete, do you see us doing in this contract to give us more to address this problem?

Just let me say, prior to answering that, maybe I should have said this before, I have read all the information that you have provided to me from our present administrator, and I am not going to mention any names, but I am a little disappointed in a lot of things. I am very disappointed in the loss analysis information that is provided to the City, because we cannot zero in on where our worker's compensation problems are by looking at it. True, we can say how many dollars we lost, but it indicates that -- for instance, I am reading one memo. "Three major causes of accidents are falls, trips and slips, which account for 39 percent of the accidents; lifting objects, 25 percent; motor vehicle involvement, 10 percent."

Well, that is all well and good, but we need more to bite into than that if we are going to institute some preventive measures to reduce those losses. Are the motor vehicles because people weren't wearing their seat belt shoulder harness? Are they because the vehicle was in bad shape? Were they violating motor vehicle regulations? And that is what we are not getting.

And in addition, in this same letter there is a sentence that just slapped me in the face: "While several of these accidents may have been unavoidable, it does appear that enhancing the safety program may help in reducing some of these."

Let me say, across the board every single accident is avoidable. And that word has to go out City wide when it comes to our worker's compensation problem. The only way an accident is not avoidable is if it is an act of God.

(Deleted text.)

In regard to the bill, Bill 250, it is not my concern what the price is, because the overall cost of the worker's compensation problem is monumental; as I indicated, it is about \$18 million a year. So if the contract comes back and it is a few thousand dollars one way or another, that is not the important point. The important point is, in my opinion, that we

get the best professional administrator that we possibly can get to address our severe problem, which is too many losses.

Now, under the new proposed contract, what would you hope to do or hope to accomplish in terms of getting commitments from that professional administrator in the new contract that we don't presently have in our existing contract?

Mr. Turner:

Let me address that in a slightly different way, Councilman. And if you are concerned that I haven't hit what you wanted me to do, please bring me back to it.

I agree totally that the issue here on the decision of the worker's compensation third party administrator, the primary consideration should not be based on the price that is quoted, because our view of their ability to control both the current costs and to control the unfunded liability is far more important than whether they are paid \$5,000.00 more one way or another. It is a rather small part of the total problem.

We have been thinking about it for quite sometime. Certainly I have been thinking about it every since I came back into this position. There are a number of roads that I think we have to travel down, some of which we are traveling down now, maybe we need to speed up that process, others are going to be new roads we haven't ventured into before. We have to have verification investigative services as part of this contract. We have to explore alternative duty, new approaches, instant alternative duty is something that has been mentioned. We have to proceed much more vigorously on modified duty. We have to have a stronger safety program. I have asked Director Cannon if he would Chair to reinstitute a safety committee and Chair it. He would do that and proceed to do that as soon as we get this past us.

We have to look at the creative financing techniques, the concept of commutation, which is basically a buy out in order to reduce the unfunded liability. We have to explore the use of annuities to both fund the unfunded liability and to create packages that basically fit the particular needs of certain individuals. We have to look at the concept of incentives, incentives with respect to our employees. Can we set up a shared savings type of program whereby employees get a portion of any savings? We need disincentives, if you will, with respect to our departments to the extent that department costs are not being controlled, then those funds have to come out of other areas of their budget and not the salary areas, but other non-salary items. I think we have to try to make everyone accountable. We have to look at reforming state laws. We have to look at the rehab efforts; are we doing enough of it?

These and many other items are roads we have to venture down. The question in my mind is we can neither entirely blame

whoever the third party administrator is or give them all the credit if we do a good job. It has to be a joint venture between the City and the third party administrator. But included in that, quite frankly, I think we have to hold them more accountable. I have talked with the Solicitor about having termination clauses in there and an actual review for poor performance, that if, in fact, we go through a process and we all believe that firm X is the best firm, and after 12 months we are all convinced that, in fact, they haven't performed, then we need to have the ability to not wait two more years, but to stop then. So I see it as a joint venture.

I am very much concerned with getting this process started, which is why I am concerned about now having to come back to Council another time and get into a debate over who the firm is and whether they are the better firm.

Have I addressed your question?

Mr. Wagner:

Yes, to some degree you have. In the contract language, what changes could you supply this Council with, the changes that you will make in the contract language in comparison to the present contract versus the future contract to get more out of our professional administrator to help us with this problem?

Mr. Turner:

We haven't drawn up the contract. I have talked with the Solicitor about what we want to do. The contract is really the last thing after -- the RFP wouldn't be the contract language, which is, I think, what you are asking for. We can certainly do that. I am trying to get started on everything, and doing that now rather than doing that three weeks from now is no problem.

But I am concerned with our ability to sort of monitor the performance and to make the administrators as accountable to us as they can be in having the ability to terminate in the event we are not satisfied with the performance.

Mr. Wagner:

Any changes that would strengthen the contract I would appreciate if you would supply that information to this Council.

I also would like to see a contract, if approved, to require that professional administrator to be meeting with the Executive Safety Committee on a periodic basis to tell the Executive Safety Committee what should be done to improve the overall safety program in worker's compensation program. That is not to say that some good things haven't been done so far with the light duty, the modified duty programs. I know Pat Barns in your office, I know Mr. Calley in Safety and their staffs have

done some very positive things, but I think we all would agree that more has to happen.

And in one particular area -- and we have discussed this privately -- I would like to see us zero in more on our current workers' comp people, the people that are off that are causing our large numbers of losses. There are over 500 of them permanently on worker's comp. I would like to see us, along with this professional administrator, look at each individual case and hopefully bring those people back onto modified duty, light duty, and whatever way possible get them back to work. Because if my figures are accurate, about 12 million, 10 to 12 million, of our annual losses which are exceeding 16 million, relate to our permanent worker's compensation people. Now, I don't know if that is factual or not, but I am sure it is 50 percent anyway. So in order to take a bite out of the problem, we need a professional administrator to help us accomplish that feat. And I believe that there are people out there on permanent worker's comp that want to come back to work in other ways. For instance, we said we need more people on 911. Well, we do. Let's get some of the people that are permanent worker's comp people and get them back working, not as police officers, fire fighters, paramedics, but as 911 operators, even if we do have to pay them the full salary of a police officer or fire fighter, because if not, we are paying two salaries. So I think there is a lot that we can do there.

And one other item I just want to touch on is the incentive program. We need some kind of incentive program. And I would hope that this professional administrator would help us set up an incentive program. And can we make that part of the contract that they do that?

Mr. Turner:

Yes. Part of the RFP -- I mean, quite frankly, the way I see this proceeding is that if we ever get to the process of evaluating firms, that we expect them to come in and tell us how they are going to handle a whole range of issues, many of which both of us have mentioned, some of which I got tired of listing them all, and there are other things. What we are looking for is a firm that we feel is going to be the most aggressive and has thought this through the business and is the most likely to run down all the roads at the same time as quickly as possible in order to try to control these costs.

Mr. Wagner:

In going out to bids, how many companies do you think potentially are out there that could bid on this contract?

Mr. Turner:



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My guess would be a dozen, something like that. I am not sure. I am not sure how many bids there were the last time. We certainly have gotten a lot of inquiries.

Michelle Madoff:

Five last time.

Mr. Turner:

That doesn't mean that the inquiries necessarily will result in the submission of a bid. I would hope that there will be that many.

Mr. Wagner:

I am not concerned who gets the contract. I am concerned that we get the most professional company that is available to help us with our problem. And I would like that company to truly live with the City day and night, eat and sleep with this problem. And I believe they have to do that in order to understand the problems that we have. And they are very complex, with various union contracts, with different departments that are completely different from the other departments, types of different state laws that pertain to worker's compensation agreements and what people can get paid, light duty programs relate differently to different departments. And they truly must live with us to understand us. I am hopeful that however we proceed here that we can get the best buy for our dollar. And I certainly want to work with you in whatever way I can to do that.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

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(MR. WOODS' COMMENTS ON BILL NO. 250-Wednesday, March 30, 1988)

Mr. Woods:

Mr. Chairman, I would like to make a motion first to amend the bill to take the money out, to go out on RFP's but delete the \$600,000.00.

Mr. Ferlo:

Second.

Mr. Woods:

If I may, Mr. Chairman, could I please ask Mr. Turner, or would you please ask Mr. Turner to come to the table?

The Chair:

Why don't we have -- is the Solicitor here, as well?

Mr. Woods:

He is coming.

The Chair:

Here he is, our knight in shining armor.

Michelle Madoff:

Is Mr. Woods going to ask questions or are you?

Mr. Woods:

Sure. That is why I asked him to come to the table. Danny, I just got this opinion. What does it say?

Mr. Pellegrini:

It says you can't do it.

Mr. Woods:

Why?

Mr. Pellegrini:

The Charter is very specific about --

Mr. Ferlo:

Do you have a copy of this?

Mr. Pellegrini:

It was sent up yesterday and it was somehow lost in transit. Let me pass it around. That is our file copy.

Mr. Woods:

Wait a minute, Danny. I don't want to award the contract, No. 1. All I want to do, and what we asked, was when you go out, can Mr. Turner go out for RFP's and not state the money? That was what we asked for a legal opinion on.

Mr. Pellegrini:

What you could do is authorize the Director to go out and spend all the money in the code account, if you are trying to hide the amount of money available on a line item.

Mr. Woods:

Wait a minute. Please answer my question yes or no. I made an amendment to go out on RFP's without including the \$600,000.00 figure.

Mr. Pellegrini:

You don't --

Mr. Woods:

Wait a minute. Yes or no, can you do that legally; go out on RFP's and not include the money?

Mr. Pellegrini:

At that point in time it is not an RFP, it is only an expression of interest.

Mr. Woods:

Here is the thing, Danny; I need a yes or no.

Mr. Pellegrini:

The answer is no.

Mr. Woods:

If I go out and I have these specs in my hand and I say, "Miss Madoff, here are these specs. Would you please give me a bid," is that legal?

Mr. Pellegrini:

The answer is no.

Mr. Woods:

Why not?

Mr. Pellegrini:

Because, No. 1, if you go out -- there are two things in the contract. So what you are asking a vender to do is come in and say, "You don't have any authorization to enter into this contract, so we want to have negotiations with you prior to the contract." An RFP process leads to a binding contract. There is no authorization by the Director to lead to a binding contract, and that is the reason that you can't go out. A Director can go out -- he doesn't have to come to Council, period, to do that type of --

Mr. Woods:

I know. It happened before.

Mr. Pellegrini:

The Director doesn't have to come to Council to do that. The Director has to come to Council to get authorization to enter into the contract. To enter into the contract you have to have a dollar amount, because he can't enter into a contract unless he has the dollars. So what you will be doing is you are saying to all these venders who go out there and spend enormous amounts of money putting these RFP's together, and he comes up here and you say, "I don't want to do it." So those venders are out thousands of dollars each at that point in time.

Quite frankly, if that is the way it is going to proceed, we probably wouldn't go out for the RFP's.

Mr. Woods:

Let me ask you something, Danny. Does this, your explanation, does that pertain only to professional contracts?

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Mr. Pellegrini:

It pertains to all contracts.

Mr. Woods:

All right. Then why, if I want to go out and bid building a new building, I don't have to include the money. I show the specs out, give the specs out, and they, in return, tell me how much money it is going to cost me, and the lowest responsible bidder gets it. Why is it different for this contract versus, say, a construction contract?

Mr. Pellegrini:

A private contract?

Mr. Woods:

Yes.

Mr. Pellegrini:

Okay. The decision before Council, when Council authorizes the contract, is you are going to put up a building, and that building is -- we estimate the cost is going to be a million dollars. Council may be willing to spend up to a million dollars on it, but you may not be willing to spend \$2 million. So what you are really doing is asking contractors to come in and say, "I am going to bid X amount of dollars," and then you come in and say, "We are not going to do it," or we come up and say, "We want to do it for a million and a half," and you say "No."

The other process of it is, under a case called Locheim, that bids have to be binding when they are put in, Locheim vs. the City of Philadelphia. So what is before Council is what is the policy decision? And in this workmen's compensation case, the policy decision before Council; one, are we going to employ an administrator, and two, how much? How it is to be done after that is a purely administrative decision.

Mr. Woods:

I am not trying to interfere one iota.

Mr. Pellegrini:

Then what is your concern?

Mr. Woods:

My concern is we should go out, send RFP's out to 2 contractors, to 22 contractors, to 100, I don't really care, and say, "Here are the specs. We want you to give us a price on how much you are going to charge the City of Pittsburgh to administer this program. Here is what we want you to do." I want that contractor to come back and say, "I will charge you \$800,000.00" -- or what is in the budget, by the way, 1.3 million; it is not \$600,000.00, ladies and gentlemen, it is 1.3 million that is budgeted for the administration of this fund -- "or \$400,000.00." Just give us a price on what each one of you will do. And then you give the Administration the price, not Council, because you are right, we don't have no choice, and let the Administration either pick the lowest vender, the highest, whatever he wants to do, what he feels is the most qualified. All I am asking is to take the money out. I believe that the money is encumbered, because there is a specific line item code account just for administration of this program, and it is not \$600,000.00, it is 1.3 million, and it is on page 2159 in the Finance Department.

Mr. Pellegrini:

Fine. Put \$1.3 million in the ordinance. The only thing we are authorized to spend under the resolution is \$600,000.00.

Mr. Woods:

I want you to get the best people, and I am asking you to take the money out. You can't explain to me why it is illegal.

Mr. Pellegrini:

Yes, I just did. In the process by which you are advocating it --

Mr. Woods:

Wait.

Mr. Pellegrini:

Let me tell you the process.

Mr. Woods:

This Council -- and this Council, not Ben Woods -- asked for a legal opinion on can we take the money out, in writing, and that is not here.

Mr. Pellegrini:

It is in the third paragraph.

Mr. Woods:

It is not there.

Mr. Pellegrini:

Read the third paragraph.

Mr. Woods:

I am not saying you can't enter into a contract. All I am saying is we will allocate the money. You can enter into a contract. All I am saying is we will allocate the money. You are saying we are saying you can't enter into a contract.

Mr. Pellegrini:

No, I can't enter into a contract. The City can't enter into a contract because when it hits the Controller's office and there is no source of funds, it is bounced.

Mr. Woods:

Wait a minute, Danny. Isn't this a source of funds? I thought the budget was an ordinance. It is a law, the operating budget is a law. All that money in there has to be spent. You can spend all that money that is in there. And since that is passed by ordinance, the operating budget, then it is a law, and you have \$1.3 million in there.

Mr. Pellegrini:

If Council wants to put in the resolution that we can spend up to \$1.3 million, the whole line item in the code account --

Mr. Woods:

The operating budget is a resolution. It had to be passed by this Council. It is law of this City. In that law it says \$1.3 million.

Mr. Pellegrini:

So what you are really saying is that under your -- let's get your understanding of what the process is clarified. What you are saying is that if we go out for an RFP and an

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amount comes in at \$610,000.00, that we can send down to the Controller's office a contract that says \$610,000.00, and the Controller will countersign that contract.

Mr. Woods:

According to law. It is in the budget, Danny.

Mr. Pellegrini:

To be honest -- let me finish. If that is the understanding of the Controller, then we don't have any problem with that process. But my -- that is not what the Controller would do. Unless we have a resolution with a number in it -- and it could be 600 or the whole line item -- he is not going to countersign the contract.

Mr. Woods:

Just answer two more questions, then I will relinquish the floor.

The operating budget of the City of Pittsburgh, is that law, is that ordinance?

Mr. Pellegrini:

Yes.

Mr. Woods:

Is the line item in it for administration of the workmen's compensation, is that in the budget?

Mr. Pellegrini:

Yes.

Mr. Woods:

So therefore, that must be law. And in that line item it says \$1.3 million.

Mr. Pellegrini:

If the Controller has the same understanding that you do, we do not have to come back to Council for any appropriation. That is news to me, but we will be willing to go along with it.



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Mr. Woods:

Danny, I asked you a question, I want a simple answer, I ask simple questions. Just give me a yes or no. We.

Pay our wages -- our people got paid today; today is March 30th, all our help got paid today in the City of Pittsburgh. Did you have to come to Council and ask every week or every other week for a resolution to pay these people?

Mr. Pellegrini:

No.

Mr. Woods:

Because it is under the salary and code account in the operating budget. And it is the same criteria here that I am telling you.

Mr. Pellegrini:

What you are saying is we don't have to come back to Council.

Mr. Woods:

I am saying take the money out.

(Deleted text.)

Mr. Woods:

If I may, I think I have a way to solve the problem and still accomplish what we want to accomplish.

Let's amend the legislation -- instead of taking all the money out, let's amend the legislation to read "\$100,000.00". Therefore, after they select their contractor -- they are not going to get anybody for \$100,000.00 -- they are going to have to come back to Council and say, "Here is what we need now." And that is a solution. We are giving them money, we are not holding up the bill at all, and we accomplish what we want until we get a regular piece of legislation.

Mr. Ferlo:

That is fair.

Mr. Woods:

I think that all of us can live with that.

---

Mrs. Masloff:

What does Mr. Turner have to say?

Mr. Woods:

Madam President, I think this is our decision. It is not what they have to live with, it is what we have to live with. I think there is no one here that can find that unreasonable. I make a motion to amend --

The Chair:

You have your motion to amend to take it out.

Mr. Woods:

I withdraw that motion. Do you withdraw your second?

Mr. Ferlo:

I made the second. I am not sure I want to withdraw the second yet, because --

Mr. Woods:

Let me make the motion. My idea is good.

Mr. Ferlo:

Okay.

Mr. Woods:

I make a motion to amend to read instead of \$600,000.00, to read "\$100,000.00".

(Deleted text.)

Mr. Woods:

Mr. Turner, you know I disagree with you. But to say that you don't have to come back to this Council -- if we authorize \$100,000.00 and you don't have to come back to this Council for \$400,000.00 and name the contractor, I can't believe that is so.

We just went through a number of bills here today, and every contractor or person that is entering into a contract with the City of Pittsburgh is named and the amount they are getting. And Danny is not here, but when Danny wants to make a decision to fit Danny or the Administration, he does.

Now, if we have been doing something for seven years I have been on Council one way, why all the sudden is it another way you don't have to name a contractor? That is one thing. History will show you that every time the Administration enters into an agreement it names the contractor or the person you are entering into the agreement with.

If we go along -- and no one has made the motion yet -- to fund this thing at \$1.3 million, we defeated our purpose, because we still don't have the last check and balance. You don't have to come back to us because now you got \$1.3 million. Instead of it being \$600,000.00, you can spend \$800,000.00 or the whole \$1.3 million. The point is you don't have to come back to us, and that is your objection and I understand that and I sympathize with you. And if I was sitting in your shoes, I would want to do the same thing.

But we are the legislative body, we are the checks and balances on the administration.

And one other thing. If someone here is going to make the motion to go \$1.3 million, I totally resent it. I was kind enough and courteous enough, when you, Mr. Chairman, asked me to hold this thing until after the meeting or after we discussed all the other options, and then for the Administration to come and lobby, which is your right. If anyone makes that motion, I will totally resent it, because I was kind and courteous not to push the issue at that time, and it would have been voted and gone.

The Chair:

Let me respond to that, because it was my request. The courtesy was not for any member of this Council, but for the other Directors who were sitting here.

Mr. Woods:

At your request. I respected you as the Chairman, and I was courteous enough to comply with your wishes when I didn't have to. I could have pushed for the vote right then, and we would have been long gone, and it would have been over with, it would have been \$100,000.00. No one has made the motion and I hope they don't, out of courtesy to me.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 396

A Resolution entitled, "Resolution providing for an issuance of a warrant in favor of the American Water Works Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, in the amount of \$18,000.00 in payment for an annual subscription to the AWWA Research Foundation, furnished for the benefit of the City, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 414

A Resolution entitled, "Resolution providing for the issuance of two warrants in the amounts of \$9,795.50 to John M. Kish, Attorney for Elizabeth

Grim, Rose Marie Hines, Betty Lou Dorfner and Frank Dorfner and \$1,500.00 to Kish, Kish, & Yarsky in full settlement of claims GD 82-01163, GD 01164, and GD 82-01165, and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 415

A Resolution entitled, "Resolution providing for an Agreement or Agreements with P.B.A., Inc. The Second Step for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$15,000.00, and is chargeable to and payable from Code Account 1100 (110007) Miscellaneous Services, in the Department of Personnel and Civil Service." ---(SPONSORED BY MR. POLLOCK)

Which was read:

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 428

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$897.43 in payment for rental equipment furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 536

Report of the Committee on Planning, Housing and Development for March 30, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 189

A Resolution entitled, "Resolution providing for the implementation of a Residential Parking Permit Program in the South Oakland community pursuant to Pittsburgh Code, Chapter 549."

Which was read.

Also,

Bill No. 400

A Resolution entitled, "Resolution further amending Resolution No. 1187, effective December 29, 1986, as amended, entitled: 'Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement

Program', by decreasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 401

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective December 31, 1987, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program', by decreasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 402

A Resolution entitled, "Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled: 'Resolution adopting and approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program, and approving the 1985 through 1990 Capital Improvement Program,' by increasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 403

A Resolution entitled, "Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 402 and 1144 of 1982; by Resolution No. 933 of 1983; by Resolution No. 102 of 1986; and by Resolution No. 1030 of 1987, entitled: 'Approving the submission and

budget for the 1982 Community Development Block Grant Program', by decreasing a line item in the URA (Small - Minority Business Revolving Loan Fund) and further adding line items to the Department of Engineering and Construction (Play Area Rehabilitation); and Leslie Recreation Center, EC 82-04."

Which was read.

Also,

Bill No. 404

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional auditing services in connection with the Community Development Block Grant Program - Third Party Contracts."

Which was read.

Also,

Bill No. 405

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Oakland Planning and Development Corporation for an amount not to exceed \$20,000.00 under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 406

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and the Oakland Planning and Development Corporation in which the Urban Redevelopment Authority of Pittsburgh will provide financial

assistance to the purchasers of eleven (11) single family units to be constructed in the 4th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 407

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$75,000.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program."

Which was read.

Also,

Bill No. 408

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$250,000.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program."

Which was read.

Also,

Bill No. 409

A Resolution entitled, "Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$250,000.00 in Rental Housing Development Improvement

Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 410

A Resolution entitled, "Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$75,000.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 411

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$200,000.00 of Gateway Clipper Urban Development Action Grant Repayment Funds for the Neighborhood Economic Development Investment Fund and allocation of Neighborhood Economic Development Investment Funds for reopening of neighborhood retail food stores."

Which was read.

Also,

Bill No. 420

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vintage, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$15,000.00 and is chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning." — (SPONSORED BY MR. POLLOCK)

Which was read.

The Chair

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 421

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Citizens Council for the furnishing of professional services for the benefit of the residents

of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$10,000.00, and is chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning." — (SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 422

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Welfare Rights Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$5,000.00, and is chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning." — (SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 423

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Project H.O.P.E., Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, (110304) Miscellaneous Services, Department of City Planning." — (SPONSORED BY MR. POLLOCK)

Which was read.



**The Chair**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 537

Report of the Committee on Parks and Recreation for March 30, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 369

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for supplies, materials and/or services for the Department of Parks and Recreation, payable from Code Account PR 88-07, 4-10-01-0010-88, Index Code 320820, Major Repairs and Emergencies,

Department of Parks and Recreation."

Which was read.

**The Chair**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 370

A Resolution entitled, "Resolution providing for an Agreement(s) with Pittsburgh Trust For Cultural Resources for furnishing of professional services for the benefit of residents of the City of Pittsburgh during 1988; and providing for the payment of the cost thereof not to exceed \$20,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Department of Parks and Recreation."

Which was read.

**Mr. Ferlo**

I would like my comments brought forward on Bill No. 370.

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(MR. FERLO'S REMARKS ON BILL NO. 370 - WEDNESDAY, 3/30/88)

Mr. Ferlo:

And on Bill No. 370, Mr. Chairman, I want to briefly pass something out to members of Council. I know the hour is late, and I will speak briefly about this issue.

Mr. Chairman, in the past three months that I have been here, I voted no on other appropriations to four specific groups, and they are the Pittsburgh Opera, the Dance Council, the Civic Light Opera, and the Pittsburgh Ballet. At that time I stated, and I will again state today -- and I just want to quickly clarify to Council and to the public why I am voting no on Bill 370, Bill 390, Bill 394 and Bill 395 which funds the Pittsburgh Trust for Cultural Resources, as well as three of its member organizations.

I submitted to members of Council and to the public today an arrangement that has been worked out between the City through the URA and the Pittsburgh Trust for Cultural Resources. I am not even sure how this arrangement is legal, but assuming it is legal, what I have suggested to Council in the past is that the repayment Urban Development Action Grant funds that will come from the construction of the CNG Tower, Downtown, those repayment funds, which as members of Council are aware we recently appropriated and today approved by way of example in the Giant Eagle repayment fund, some of those funds went to targeting neighborhood supermarkets. Here is a situation where Federal dollars that are targeted to low-income communities in our City rather have been targeted to the Pittsburgh Trust for Cultural Resources to ensure some level of funding for the Opera, the Dance Council, the Civic Light Opera and the Pittsburgh Ballet until the year 2062. No community group certainly addressing low income needs in the City or economic development agendas in our neighborhoods, has had any kind of a luxury like that of being given a funding source until the year 2062.

I don't want to suggest that this arrangement is illegal. It's something that I will certainly pursue, not on this table, but later on through the course of the month. But I want to clarify that because of the large amount of money; again, a continual funding base for the Pittsburgh Trust for Cultural Resources which begins in 1990, they will receive \$250,000.00 of City funds, and they will continue to receive money until the year 2062.

Again, I love the Opera, I love the Council, I love the CLO and I love the Ballet. I don't want to in any way suggest that

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they are not doing a good job and they are not an important institution to the City and to Downtown. But in terms of limited dollars and in terms of dollars that I feel should more directly go to neighborhood based economic and housing development, personally, I think this arrangement is outrageous. But it's a contract, and I'm not sure it can be changed. But I want to make clear that I'm voting no on Bill 370, Bill 390, Bill 394 and Bill 395 because I think that the City has done more than its fair share in supporting these organizations.

And I will just close by making the argument that these four organizations are better able to receive the philanthropic support as well as the corporate support from the Downtown community less likely than a Bloomfield/Garfield Corporation or a Hazelwood/Glenwood, Glenhazel Citizen Council or a West End Citizen Council, and I'm very upset about this arrangement. I'm not clear that I have any power to change it, so I want to make it clear and voice my opposition to those four bills that I mentioned. Thank you.

(END OF REMARKS)

Transcribed by Gloria J. Bors, Stenotype Reporter

**Mr. Ferlo**

Just briefly again, I'm voting no on 370 and 390, 394, 395. These are the Grants and Donations to the Trust For Cultural Resources and to the Opera, Dance Council and to the Ballet. As I explained in the Wednesday Committee Meeting, my concern basically has to do with the City Council having been very gracious in the past by letting these groups benefit from the CNG Benedum UDAG Grant, the Urban Development Action Grant. Unlike any neighborhood group that is struggling for money in our City, these cultural groups in the Downtown community will be benefitting as a result of the repayment funds and the interest repayment funds from the UDAG Grant until the year 2062. On that basis, I cannot see giving them this allocation. Thank you.

**The Chair**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Wagner               |
| Mr. DePasquale | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

**AYES 6                      NOES 2**

**(MR. FERLO AND MR. POLLOCK  
VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 371**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the River City Brass Band for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Five Thousand (\$5,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

**Bill No. 372**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for furnishing professional services in connection with the Three Rivers Shakespeare Festival for the benefit of the residents of the City of Pittsburgh during 1988 and providing for payment of the cost thereof which is not to exceed Twenty-Five Thousand One Hundred (\$25,100.00) Dollars, Eighteen Thousand Six Hundred (\$18,600.00) Dollars shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation, Six Thousand Five Hundred (\$6,500.00) Dollars shall be chargeable to and payable from the Special Parks Program Trust Fund (SPPTF, 254359)."

Which was read.

**The Chair**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 373

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Catalyst Marketing and Advertising for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Sixty Thousand (\$60,000.00) Dollars and shall be chargeable to and payable from Code Account PZMTF (253757) Pittsburgh Zoo, in the Department of Parks and Recreation."

Which was read.

Mr. Wagner:

Madam President, I'd like my comments brought forward on Bill No. 373 pertaining to the advertising and marketing services provided for the Zoo and in particular I would like to see something happen with the transportation link. I have been told by

representatives from the Parks and Recreation Department that something will happen this year. I still await it, wait to see it in writing, and to see it happen. I've been requesting to see it happen for three years and hopefully it will this year.

(REMARKS ON FOLLOWING PAGE)

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(MR. WAGNER'S REMARKS ON BILL NO. 373-Wednesday, March 30, 1988)

Mr. Wagner:

Mr. Chairman, members of Council, I think it is good to scrutinize these various resolutions and grants and donations, and I believe this Council and previous Councils have, and I believe the Administration has. I think if you look at the last several years you will see that the dollars that go to these various organizations have been reduced significantly; about 50 percent of these are recommendations by the Administration, and about 50 percent are recommendations by Council. The important thing to look at I think is what benefit or what return we get from our investment here. And on many of the organizations, the dollars that we donate are returned in the way of tickets that go to senior citizen centers throughout the City for various events. Many of the other organizations are neighborhood organizations and play a very vital role in those neighborhoods. Some of these organizations are Veterans' organizations, and we have a high number of Veterans in our City.

So I believe that we should scrutinize these, but at the same time, I believe that did happen during the budget process in the latter part of '87. And many of these organizations are getting less dollars than they have in the past, and maybe they should get less in the future as our ability to fund through grants and donations diminishes. But at the same time, I believe that we should support them as they are today, as they appear in these various resolutions.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

**The Chair**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 374

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sounds of Heritage for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 375

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the Uptown Athletic Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 376

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Springview Athletic Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 377

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lincoln Place Youth Athletic Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be

chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 378

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988; and providing for the payment of the cost thereof not to exceed Fifteen Thousand (\$15,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 379

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Brushton Baseball Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 380

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?



And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 381

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lower Hill Outreach YMCA for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 382

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for furnishing professional services for the benefit of the residents

of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand (\$2,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 383

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Crafton Heights Community Council for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 384

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Champions Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Five Thousand (\$5,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 385

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Baseball Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 386

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sharing and Caring for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Seven Thousand (\$7,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 387

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Little

League for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 388

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Football Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 389

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College for furnishing professional services in connection with the Pittsburgh Folk Festival for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Eight Thousand (\$8,000.00) Dollars and shall be chargeable to and payable from Code

Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair.**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 390

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Ten Thousand (\$10,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 6                      NOES 2

(MR. FERLO AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 391

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Ten Thousand (\$10,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 392

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Youth Symphony for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Ten Thousand (\$10,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 393

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western

Pennsylvania Conservancy for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Seven Thousand (\$7,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 394

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Dance Council for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Five

Thousand (\$5,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 395

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Ten Thousand (\$10,000.00) Dollars and shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, Department of Parks and Recreation."

Which was read.

**Mr. Pollock:**

Rather than repeat my reasons for voting against most of these bills, I would just ask that the reasons that I gave on Wednesday be brought forth and included, please.

(REMARKS ON FOLLOWING PAGE)

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(MR. POLLOCK'S COMMENTS ON BILLS NO. 371, 372, 374, 375, 376, 377, 378, 379, 381, 382, 383, 384, 385, 386, 387, 388, 389, 391 and 392 - Wednesday, March 30, 1988.)

The Chair:

Since I have been on Council and involved in two budget processes, I have maintained very strongly that until our 4 percent wage tax is lowered, City government and the City taxpayers cannot be sponsoring and paying for little leagues, and local Veterans' parades and everything else. And I have opposed all of these in both years, and I am going to oppose them again today. So I am going to be voting against every one of these.

And with the possible exception of Michelle, I don't think there is a greater lover of the arts on Council. I attend an arts performance almost every week, and I would be extremely distressed if any of these arts groups left. But as I have told each of them individually, we have to lower the wage tax, and until that time, the private sector and the foundations have to fund these. And I can't go along with giving any money to any of these arts groups, as well.

The only two that don't fall into either one of the categories that I talked about so far are the Arsenal Board of Trade and the Bloomfield Citizens Council. Now, I feel strongly that both of these organizations should go through either the Neighborhood Fund procedure for receiving grants or, in the case of the Arsenal Board of Trade, through the Neighborhood Business Development Revitalization Committee process. But since they did not, I don't want to preclude them completely, so I will approve those two this year. And I will ask that a letter be sent by the City Clerk or from the budget staff to both of these institutions, or agencies, or groups telling them that they should go through the Neighborhood Fund or the Neighborhood Business Program so they don't go this route. I think that is why we have these two different bodies, actually three different bodies. We have Council for grants and donations, we have the Neighborhood Fund for neighborhood groups, and we have the Neighborhood Business Revitalization Committee for the neighborhood business groups.

So I will vote for them yes today, but not next year on these.

(End of remarks.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 6                      NOES 2

(MR. FERLO AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Wagner presented**

Bill No. 538

Report of the Committee on Public Safety for March 30, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 416

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not

to exceed \$13,000.00 and is chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety." —  
(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 417

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$30,000.00 and is chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety." —  
(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 418

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$8,500.00 and is chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety." —  
(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

**Bill No. 419**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Allegheny County Center for Victims of Violent Crimes for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$20,000.00 and is chargeable to and payable from Code Account 1401 (140103) Miscellaneous Services, Department of Public Safety."  
—(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

**Bill No. 429**

A Resolution entitled, "Resolution amending Resolution No. 982, approved December 4, 1987, effective December 11, 1987, entitled: 'Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh,' and changing the Code Account from (DPSTPP) to Code Account (1421) and providing for the payment thereof."

Which was read.

**The Chair**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

**Bill No. 539**

Report of the Committee on Engineering and Construction for March 30, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 443**

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by changing the title of line item EC 86-15 to 'Swinburne Street Bridge Trust Fund Transfer,' by increasing this line item by \$795,000.00 and by adjusting the Summary Totals."

Which was read.

Also,



Bill No. 444

A Resolution entitled, "Resolution amending Resolution No. 442, effective June 4, 1987, entitled: 'Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge; providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$795,000.00 and by providing for the payment of the cost thereof from the Swinburne Street Bridge Trust Fund."

Which was read.

Also,

Bill No. 445

A Resolution entitled, "Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Duquesne Light Company for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 446

A Resolution entitled, "Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Marie Pena, his wife, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing

acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 447

A Resolution entitled, "Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Consolidated Rail Corporation for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 448

A Resolution entitled, "Resolution providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Riverview Post No. 681, American Legion, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 449

A Resolution entitled, "Resolution providing for the acquisition or taking of

property in the 27th Ward of the City of Pittsburgh owned by Kazmier Pulaski Society, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

##### The Chair presents

No. 547 Resolution that the appointment by the Mayor of Walter Sims of 1614 Brodhead Street, Pittsburgh, Pennsylvania 15208, be and the same is hereby approved and confirmed as a member of the Art Commission for the term of the Mayor.

Which was read.

#### The Chair:

Is it Council's pleasure to have this man come in on Wednesday for an interview?

Mr. Woods:

So moved.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Lyons:

I have a comment on another issue. I've become concerned about the vandalism that is going on in our City parks now. We know recently Leslie Park had been destroyed for about \$600,000. There's been a lot of vandalism up at West Penn Park while its under construction, a lot of vandalism. And then just recently, last weekend was the vandalism of the Brookline Pool.

I think certainly that it's time for Council to take a look at and protect the interests of the City of Pittsburgh as well as the pleasures for our citizens. I don't have the solution for it but I think it's time for concern with this kind of money being wasted through just atrocities, just vandalism, just out and out destroying City properties. Certainly I feel that the Police Department, it may be necessary to expand the Police Department; but I do know this, that it is necessary at this time to do something.

Mr. Coyne:

Madam President, on the same issue. This morning I had the opportunity to go up to Brookline Memorial Park to look at the damage at the swimming pool that occurred there over the weekend. It was a senseless and horrendous act that

it seems was carried on by a few but will adversely affect the entire community. If you saw on the news reports, and when you're there it's even worse, that several walls were totally destroyed, that railings were knocked off and thrown into the pool. The metal covers which were supposed to be vandal-proof were ripped off the filtration system, but it appears as if no damage itself was done to the filtration system.

At this time there are no estimates on the cost of the damage although Engineering and Construction is currently assessing the total damage and we'll have a figure as soon as possible.

I've also been in touch with the Department of Public Safety which is conducting an on-going investigation to identify the individuals involved in this senseless act. The Police Department has informed me that they have the names of approximately 15 juveniles, and they are pursuing the leads, because these folks were seen in the area the night of the occurrence. Their investigation is continuing and the Department of Parks and Recreation and the Public Safety Department has promised to keep me apprised of the situation and as I receive information I will relay it to Council and to the public. Thank you.

**Mr. Wagner:**

Madam President and members of Council, I was also out there this morning and I took some photos that Councilmembers may want to look at about what happened at Brookline Community Center Pool over the weekend. It truly was, and I'm glad my colleagues have mentioned the issue, one of the worst cases of vandalism that I've seen here in the City of Pittsburgh. It's a relatively new pool; it's about six or seven years old and there has to be at

least \$10,000 to \$20,000 in damage that has been done to it.

I think several things need to happen, obviously at this particular location and some of the others that Councilman Lyons has referred to. I think we need to get them repaired as soon as possible and hopefully get them open for the season. In the case with Brookline Community Center, to get the pool open for the swimming season.

In addition to that, a full investigation, I have requested, and must occur, to determine who was involved in this incident and to apprehend the people and to send a strong message that we cannot put up with vandalism of this sort in the City of Pittsburgh.

The other item that has to happen is increased patrols at all the parks and not just passing by the parks in the Police car. The Police have to stop at these park facilities, get out of their vehicles. If there are gangs there, move the gangs. If the gangs don't move, arrest them. It's that simple. If the park facility is closed, if it's after hours and there's people loitering there, they should be arrested because, if not, potential damage is going to occur with the facility.

In the case of Brookline, I understand one of the reasons why this occurred was that the lighting system which was damaged several months ago, a transformer was not in operation; therefore, the lights were not on along the roadway and these people could not even been seen. They were heard but they weren't seen. Consequently, if the lights would have been on, I think it would have acted as a deterrent. I was in touch with Duquesne Light Company and they told me that power will be on as of this afternoon up there and hopefully we can get Parks out there to turn the

lights on on that private road owned by the City leading to the park beginning this evening.

In addition to that, I think this Council should find the dollars to install security systems in all of our park facilities. I know we have done it individually in several facilities throughout the City where vandalism has occurred. I don't think we should wait; I think we should go ahead and install the appropriate security systems in all buildings that potentially can be vandalized. The cost per building, I understand, is anywhere from \$800 to \$1,000. But certainly the cost of \$800 to \$1,000, if it could alert us that vandalism is going on and we can prevent a loss such as the one here at Brookline Community Center Pool, of anywhere from \$10,000 to \$20,000 to \$30,000, it would be money well spent.

In addition, at this particular location, I've asked Mr. Reginella to please meet me there tomorrow morning again to take a look at the facility. Hopefully someone from Parks can show up. They can assess the damage and institute the appropriate measures.

So, hopefully, we can do more here from a police and a preventative point of view and reduce the potential of this occurring. It still isn't the summer and generally vandalism is greater in the summer than it is in the winter or the spring months. Therefore, we have to create a greater deterrent now to prevent this from happening any further.

**Mr. Coyne:**

Madam President, just one question for Mr. Wagner. Councilman, what time did you want someone from Parks there?

**Mr. Wagner:**

Someone from Engineering is meeting me there at 10:00 a.m. in the morning.

**Mr. Coyne:**

Thank you very much.

**Mr. Wagner:**

Madam President and members of Council, in regards to the Koppers resolution, the people from Koppers got for me the names of the appropriate people to write to in protest to this hostile takeover and I'd like to list who those people are: Peter Cohen, he is the Chairman and Chief Executive Officer of Shearson Lehman Brothers Incorporated, American Express Tower, World Financial Center, New York, New York 10285. I'd like to say that again: Peter Cohen, Chairman, Shearson Lehman Brothers Incorporated, American Express Tower, World Financial Center, New York, New York, 10285.

There is also another man who is the Chairman of American Express Company: James Robinson, III, Chairman of American Express, American Express Tower, 200 Vesey Street, New York, New York 10285.

Any of the listeners out there, if the media could be helpful, to get these names printed and these addresses printed, and to get people in Pittsburgh and the surrounding area of Allegheny County and Western Pennsylvania to initiate an all out effort to let these individuals know that we are strongly against this hostile takeover.

**Mr. Ferlic:**

Very briefly, three unrelated points. First of all, on Mr. Wagner's

point in relation to communicating to the Company, I would urge that if we have any direct or indirect financial relationship with any of the banking community on this issue, that we investigate the possibility of withdrawing our support from those financial institutions as the City government.

There are two companies over the weekend that I'm concerned about in terms of a potential loss of jobs. And in the absence of a formal plant closing notification law in this City, we heard through the Pittsburgh Press, I believe, the closing of Herbeck and Held Printing Company. As well it's rumored that the Fisher Scientific Company which is a very large company Downtown and I know operates a very large print shop is contemplating closing and/or moving from this City.

In relation to those two companies, I would ask that Council send a communication to Mayor Caligiuri and ask him to use his good offices, as he has many times in the past, to intervene in these situations or at least to communicate to these companies the potential assistance or help that maybe the City itself could offer these two companies.

In addition, the Urban Redevelopment Authority could certainly help package an employee stock or some type of an employee-owned company as was the expressed interest of some of the unions involved in Herbeck and Held. So, I'd like to make that motion or ask the President to please do that. I'd be happy to draft up a letter.

On two other brief points, I received a letter today; as well, members of Council may have received a letter from Mr. Ziegler, President of the Pittsburgh History and Landmarks Foundation. I'm concerned about this

letter and I want to be very clear on why I supported Mr. Pollock's resolution. That has to do with the LTV Works, the South Side J & L Works.

Mr. Ziegler's letter implies that my vote for that resolution has now guaranteed that the history of steel-making in Pittsburgh will be told for generations to come, meaning that Council's vote on that resolution somehow formally committed ourselves to seeing a museum of some sort on that property. Nothing could be further from the truth. As far as my vote, I only voted for that to stave off pending demolition. I agree with Mr. Wagner and also the efforts of the Steel Valley Authority about the electric arc furnace and Mr. Wagner's comment about the potential for other kinds of specialty steel-making. I'm very much opposed to any large percentage of that land becoming tax exempt and non-profit with a museum and I would argue, in fact, that of all the potential sites for a museum, there are places out in the Mon Valley that are actually better from a historical point of view than that property which is prime commercial property that I think we need to develop.

So, please, Mr. Ziegler, stand corrected, at least from this one Councilmember's concerns.

Thirdly, very quickly as the hour is late, I am very concerned and outraged at comments made by Mr. Mistick of the Mistick and Company Organization which is a so-called merit shop, non-union construction company, who has done and benefitted a lot from City and County and State public dollars. I'm very outraged and I think all of Council and the public should be outraged with comments that this gentleman had made concerning the concerns that union organizations and individuals raised with Council this past week in a public

hearing. He is quoted as saying in the Pittsburgh Press, and I quote Mr. Mistick, he says, "For some of these union guys, the tools of the trade include extortion, bribery, embezzlement and lying," Mistick said. "Because they aren't competitive in the marketplace, they have to resort to backroom politics to get their ends."

I find that ludicrous and laughable. If anybody is engaged in backroom wheeling and dealing, it's Mr. Mistick in order to gain some hegemony in the construction trade locally and, in fact, what I saw last week at a public hearing is citizens and unions democratically expressing their concern to City Council very openly and very publicly.

I'm concerned because I attended an inquest of a construction worker who is working for not much more than minimum wage at the Penn Central Station, probably never had a safety lesson in his life on the use of a safety belt. This gentleman who probably went to work expecting to shovel gravel and sand on the floor was working some fifty feet up on a dome at the Penn Central Building. He lost his life; this gentleman is now dead. This worker is dead, as far as I'm concerned, because of the profit interest agreed and the negligence of Mr. Mistick and Company and I would urge the Deputy Coroner, Mr. Gilkes, to file negligent charges against this company in relation to the situation of that poor worker.

And I just want to state publicly that I will not vote in the next year and a half that I am on Council for any bill that would commit public dollars to this company. I want to put neighborhood groups on notice and Mr. Mistick, don't come to any of my fundraisers, and I will not vote in any way, shape or form for any public dollars going to this

company. And I find it laughable that he refers to his shop as a so-called merit shop.

**Mr. Wagner:**

Madam President and members of Council, I have two last issues here. One relates somewhat to what Councilman Ferlo referred to, the Pittsburgh History and Landmarks and the South Side Works. I have sent all of you a copy of my letter, and the Mayor a copy of my letter, to Mr. David Carroll, Vice President of Public Affairs of LTV Company.

As I indicated last week prior to final vote on requesting an evaluation of historical designation, I wanted to see that bill held for at least a week to bring LTV Company in here. I indicated at that time, even if that didn't pass this Council, I was still going to request that. In this letter I have done that with Mr. Carroll; I have asked him to appear in front of Council on April 13th at 1:00 p.m. for a post agenda meeting to discuss the approximate 72 acres of property of the South Side Works.

The purpose of this request is to simply educate all of us with what is on that property. Certainly all the property is not buildings; a significant portion of it is not. I am not in favor of seeing the entire parcel of property designated historically. I think it is of value to this Council, the public, the Administration and anyone else who is interested to sit in on this presentation, if LTV is receptive. My sense is they are receptive and they will be here a week and a half from now.

My last item, and certainly not the least important, but as Chairman of Public Safety I am very disappointed in the continual problems of 911. I have mentioned verbally to the Director and

various management people within 911 that this must stop. We have seen reprimands go out to people working in 911 for various problems that have occurred over the last several months.

Just this past weekend there was a question whether or not it is totally accurate; we will only be able to tell when we review the tapes of a delay through 911 on the problem at Brookline Pool. Approximately a week ago there was a shooting where there was a serious delay, an interruption, getting through to 911. We know what happened about four or five weeks ago with the rape in Homewood.

The problem, I for one, do not think that it is an individual personnel problem. I firmly believe that if there are continual problems within a particular department, the problem is management. I am going to ask Director Cannon, I am asking him publicly now and I am going to do it in writing, if another problem occurs in 911 I, as Chairman of Public Safety, want to see a management shakeup in the 911 system.

Harry Truman once said, "The buck stops here", and it's time that the buck has stopped. There are problems in 911. They are not individual personnel problems necessarily; I believe they are management problems. Something must be done soon to correct it. If we need more people, let's get more people. If we need to take certain things out of 911 that have never been there, like 255-INFO should have never been part of the 911 system, let's do all these things. But for once, let us get our act together in the 911 system and that can only be done through the management system. And I will keep you abreast of my activities there.

#### **Mr. Ferlo**

In response to Mr. Wagner, just very briefly. I think the 911 situation has grown more critical than the last several incidents have even implied. And I would remind Council that we have ultimate oversight on this issue. And I would also like to remind Council that we can conduct formal investigations into departments of City government and I think it's fast approaching a time, again, you know my bias; I voiced my strong opposition against the Public Safety Department from the beginning, probably for this reason. I think we put millions of dollars into equipment and we're not backing it up with the proper management. But if this situation is not resolved shortly, I would encourage Mr. Wagner to consider some type of formal oversight or overview or investigation by Council into the matter of the 911 system.

**Mr. DePasquale** moved to excuse Michelle Madoff for absence from the meeting.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Monday, April 11, 1988

No. 15

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA

Monday, April 11, 1988

#### PRESENT:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

#### ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Wagner:

Madam President, I'd like to ask Rich Cerrone who is the Vice President of Public Relations for the Pittsburgh Pirates to step forward to receive this first resolution. We also asked the Mayor and Carl Barger who is the President to join us today but unfortunately at 2:30 they have a board meeting, their monthly board meeting. As everyone knows, today is Opening Day of the Pirates.

##### Mr. Wagner and Mr. DePasquale present:

No. 576 WHEREAS, today, April 11, 1988 marks the opening of the 101st Home Baseball Season of the Pittsburgh Pirates; and

WHEREAS, in the past 100 years the Pirates have won five World Series Championships, nine National League Pennants, six Division Titles, and have provided thrills to millions of baseball fans; and

WHEREAS, the 1987 Pittsburgh Pirates finished the season with a flourish, winning 27 out of their last 38 games; and

WHEREAS, due to the leadership provided just two short years ago by Mayor Richard Caliguiri and others, we are able to have this Opening Day in Pittsburgh.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby wish the 1988 Pirates much success as they continue the climb to the top of the baseball world, and that in their 101st season they win at least 101 games; and

BE IT FURTHER RESOLVED, that the Mayor and the Council urge the people of Pittsburgh to come to Three Rivers Stadium and support the Pirates as they play HARDBALL IN '88.

Mr. Wagner moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Wagner:

Prior to Rich saying a few words, I simply want to say that the Stadium is sold out tonight; I believe that's the first sell-out in quite some time. The whole purpose of this resolution is not only ceremonial but to bring attention to what everyone considers to be a very exciting baseball team for 1988. We hope that everyone will get out there to the Stadium and support the team and they will not only have a record number of wins this year but also a record attendance.

As you know, the City of Pittsburgh owns half of the Pittsburgh Pirates and so does many other corporations and individuals. So therefore, it's even more important for us to support the Pirates in 1988.

It's a pleasure and an honor to introduce Rich Cerrone, Vice President of Public Relations of the Pittsburgh Pirates.

Mr. Cerrone:

I'd like to thank the Council and Mr. Wagner for this wonderful honor for the ball club. I do apologize, as Mr. Wagner said, Mr. Barger and the Mayor are at a Board of Directors meeting but very happily, as he touched on, there are some wonderful things that I'm sure they're discussing. Tonight's sell-out which we announced on Saturday is the first sell-out in the history of Three Rivers Stadium for the Pirates, so we're very pleased about that.

We also learned today that our Saturday afternoon game on April 23rd will be carried nationally by NBC as their Game of the Week, and if we win tonight and the Cubs lose, the Pittsburgh Pirates are in first place in the National League East.

So, there's a lot of good things but we will not forget, we will never forget, that all of these good things would not be possible if not for the hard work of Mayor Caliguiri, of the City Council, of all of you here today. Thank you so much.

Mr. Lyons presents

No. 577 WHEREAS, on Saturday afternoon, April 16, 1988, the parishioners of the Morningside Baptist Church located in the Garfield area will celebrate the fifth Pastoral Anniversary of their Pastor, Reverend Tenolia J. Guice; and

WHEREAS, Reverend Guice was ordained in 1976 and has always carried out his ministerial duties in the Pittsburgh area, serving as Associate Pastor of the Good Hope Baptist Church, prior to his appointment with the Morningside Baptist Church in 1983; and

WHEREAS, Reverend Guice was

educated in the public school system in Dallas, Texas, received his Bachelor of Arts Degree from Bishop College, Dallas, Texas, earned a Masters Degree in Education from Duquesne University, attended the Pittsburgh Theological Seminary for two years and completed his education by earning his second Master's Degree in Theology from Duquesne University; and

WHEREAS, Reverend Guice has retired from the Pittsburgh Board of Education, having served as a teacher at Westinghouse High School for many years, so that he may devote full time to preaching the gospel of Jesus Christ; and

WHEREAS, Reverend Guice's current ministry has revitalized his church and much of the Garfield community, leading several new development projects at the Morningside Baptist Church; and

WHEREAS, Reverend Guice is married to the erstwhile Ollie Mae Hyatt, a counselor at Taylor Allderdice High School, who has always been supportive of her husband's call to the ministry, and they were the proud parents of a son--Gregory, whom God took in October of 1974.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Reverend Guice on the celebration of his fifth Pastoral Anniversary at the Morningside Baptist Church in the Garfield area.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

#### Mr. Lyons:

I would like to say this, when the names of the great citizens of Pittsburgh be mentioned of trying to make Pittsburgh continue to be the Number One City in the country, Reverend and Mrs. Guice will rank and be enumerated high in that number.

I would like to have Reverend Guice express himself.

#### Reverend Guice:

Thank you, Madam President, Council, and other members present, especially Otis Lyons, Jr. and others. It's an honor for me to accept this proclamation on my fifth anniversary as Pastor of the Morningside Baptist Church in Pittsburgh in the Garfield area.

As a teacher, I was a teacher not long ago in the City schools of Pittsburgh, and as a teacher I was involved with students and with parents. And that's quite an involvement, as many of you know.

As a pastor I have a greater involvement and a new field of endeavor. As pastor, I have a greater responsibility in that I am also responsible for the souls and social activities for those who do not have any form of recreation. We also provide opportunities for those who do not have any counseling; we counsel those who need counseling in marriage, we counsel those who are despondent.

We also have help from the congregation and members and we appreciate that because they help us with the great spirit in promoting our services to the community.

We would like to thank and appreciate this opportunity to come

forth today to receive this proclamation. My sincere thanks to the Council and I shall always remember and treasure this opportunity. Thank you very much.

**The Chair:**

Our next resolution is presented by all members of City Council, introduced by Mr. Pollock and Mr. Wagner.

**Mr. Perry:**

Before I read this, I'd like to call on Councilman Pollock and Councilman Wagner to please come forward. Also, Kevin Kerwin and Principal Brother Richard and I guess all the members of the team and cheerleaders and coaches and whoever come up please.

**Members of Council present**

No. 578 WHEREAS, the Seton-LaSalle Boys Basketball team won their first Pennsylvania Interscholastic Association Class AAA Championship; and

WHEREAS, the Seton-LaSalle Rebels completed the season with 26 wins and 6 losses by defeating Milton High School 77-72 at the Hershey Park Arena; and

WHEREAS, the SETON-LASALLE CHAMPIONSHIP TEAM is comprised of DAVE BINKOWSKI, JULIUS CAYE, MIKE DEVINE, STEVE HARTZ, KEVIN KERWIN, BILL LONERO, JEFF MEDER, CRAIG POLLICE, KEVIN SALVADORI, JIM SATALIN, ED VAVRO, BRIAN WALTERS, MARC PANNUCCI, TODD KLETTER AND RON MUSZYNSKI; and

WHEREAS, the Seton-LaSalle Boys Basketball team has brought pride and honor to their school, families, neighborhoods and the entire City of

Pittsburgh with their athletic accomplishment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the entire Seton-LaSalle organization, including Principal Brother Richard Grzeskiewicz, Vice-Principals Jim Palmer and Sister Kathryn Palas, Athletic Director Charles Rutter, Team Managers Patty Sweeney and Missy Mace, Head Coach Walt Milinski, Assistant Coaches Walt Milinski, Jr. and Tom "The Dog" DiBasi on winning their first PIAA Triple A Championship; and

BE IT FURTHER RESOLVED, that the Council also applauds the efforts of the team's cheerleaders, Becky Barrett, Jenny Lewandowski, Mary McGerver, Denise Woods, Pam Woods, Ingrid Fierle, Molly Duffy, Carole Roth, Jennifer Rowles, Donna Bucci, Beth Kemerer, Lori Niederburger and their coordinator, Mary Beth Palmer, who kept the spirit of the team, school and all their fans enthusiastic at all times.

**Mr. Pollock** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

It should be pointed out that this is truly a team that came back because they did not win the WPIAA Championship; they were defeated there. They were forced to play before they got to Hershey a team that had already defeated them twice - Allequippa beat you guys twice during the year - so this was the third time that they came back and beat Allequippa to get to Hershey and then win the State Championship in Hershey. So, it's truly a

great victory for Seton-LaSalle and for the City.

**Mr. DePasquale:**

Mark, if I may. I found out how they won; they threw the other teams off stride with these pretty cheerleaders.

Is "The Dog" DiBasi related to "Ham"?

**Mr. Wagner:**

Jeep, I'll answer that question. Yes, he is related; he's a friend of mine. I put that in there and I'm sure he's not going to be happy with me.

But I want to compliment each and every one of you, the school, Seton-LaSalle, the Administration, Brother Richard, the coaching staff, Coach Milinski, all the players, all the cheerleaders, all the people behind the team, the student body, the families, and just about everyone involved, including many communities. Seton-LaSalle does not only attract students from the City of Pittsburgh, mostly the communities of Brookline, Beechview, Overbrook, but also communities such as Dormont, Mount Lebanon, Scott Township, Castle Shannon, Baldwin. I may have left a few out but there were a lot of people, a lot of good fans behind this team this year.

This is the first WPIAA Championship for the boys, but it's actually the second for Seton-LaSalle; the girls won a couple years ago. So, I guess the guys are catching up with the girls.

But I want to compliment all of you for doing a great job. You really did come back and maybe there was a premonition. I understand Bill Lonerio had some Hershey wrappers on his locker from the beginning of the year which

indicated that they were going to Hershey. And yes, they did to go Hershey and they won, and they won the State Championship and we're all very proud of you.

I understand both Brother Richard and Kevin, one of the co-captains, are going to say a few words.

**Brother Richard:**

Thank you, Councilman Wagner. On behalf of Seton-LaSalle High School, we're very grateful to you for this special honor. We're very proud to have been able to bring back the championship trophy to Western Pennsylvania and the City of Pittsburgh.

I'd like to introduce Coach Walt Milinski to say a few words on behalf of the team and the Coach will then introduce Kevin Kerwin.

**Coach Milinski:**

I just want to add briefly to what Brother said, that we were pleased to go to Hershey, Pennsylvania for our first State Championship and to represent the City of Champions and great athletic teams like the Pittsburgh Pirates and others and be fortunate enough to win and bring back the gold. Thank you.

Kevin Kerwin will say a few words on behalf of our basketball team; he is one of our tri-captains this year.

**Kevin Kerwin:**

On behalf of the team, we'd just like to thank City Council for having us down here. And we'd just like to say that it was a great honor to bring back a state title to the City of Pittsburgh and Western Pennsylvania.

**Mr. DePasquale presented**

No. 548 Resolution further amending Resolution No. 631, effective July 17, 1985, as amended by Resolution No. 299, effective April 6, 1987, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Consulting Services in connection with Construction Inspection on an 'As-Needed' Basis; and providing for the payment of the cost thereof," by amending the title to name S.A.I. as the Consultant and by increasing the total project allocation by \$121,700.00 from \$285,000.00 to \$406,000.00.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 549 Resolution providing for the issuance of a warrant in favor of A & L, Inc. in the amount of \$18,854.27 in payment of work performed in connection with the Remedial Construction Work on the Saw Mill Run Interceptor, payable from Code Account PW 82-20.

Which was read and referred to the Committee on Finance.

Also,

No. 550 Resolution further

amending Resolution No. 996, effective November 13, 1986, as amended by Resolution No. 389, effective May 15, 1987, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Emergency Operation and Communications Center; and providing for the payment of the cost thereof," by amending the title to include the name of the Consultant and by increasing the total project allocation by \$1,125.00 from \$35,000.00 to \$36,125.00.

Also,

No. 551 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation to Thaddeus Stevens School Playground and Townsend Playground; providing for a Reimbursement Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh, at a cost not to exceed \$138,000.00.

Also,

No. 552 Resolution amending Resolution No. 1094, effective January 1, 1988, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by adding line item EC 88-66, and by adjusting the Summary Totals. Townsend Playground is scheduled for renovation in 1988. The School Board has requested we expand the project to include the renovations to the adjoining Thaddeus Stevens School Playground. This amendment will provide the additional funds needed to do this extended project. The School Board will reimburse the City for their portion, up

to \$30,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Lyons presented**

No. 553 Resolution approving a Conditional Use Exception under Section 993.01(a)A-43 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to occupy the existing building located at 94-96 STRATMORE STREET by Step-by-Step, Inc., as a Group Residence Facility for eight (8) developmentally disabled adults with 24-hour supervision, and with four (4) outdoor parking stalls provided. The building is located on property zoned "R2" Two-Family Residence District and is identified as Lot No. 262, Block 40-G, in the Allegheny County Lot and Block System, 28th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 554 Resolution providing for an Agreement or Agreements with the Afro-American Heritage Parade Association, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation. —(SPONSORED BY MR. LYONS)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 555 Resolution providing for

an Agreement or Agreements with the Metropolitan Tenants' Organization, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning. —  
(SPONSORED BY MR. LYONS)

Also,

No. 556 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Paul Farmer to participate at the American Planning Association Annual Conference, in San Antonio, Texas, May 1-4, 1988, at a cost not to exceed \$1,300.00, payable from Code Account No. 1103. The major planning conference in the U.S. this year will include panel discussions and workshops which relate directly to his responsibilities in transportation planning, historic preservation, economic development and riverfront planning. The site of the conference, San Antonio, is known for its integration of its river with downtown development and conference sessions and tours will focus on the public/private partnerships used to develop the riverfront.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock for Michelle Madoff presented**

No. 557 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for Dr. John Kuchta and Randy Wolford to attend the 88th Annual Meeting of the American Society for Microbiology, in Miami, Florida, May 7-13, 1988, at a cost not to exceed \$3,600.00, payable from Code

Account No. 1922, Miscellaneous Services. The program of the 88th Annual Meeting is so extensive that it is not preprinted because 15,000 microbiologists from around the world participate in the session. One of the major items in the agenda is environmental microbiology, much of which focuses on drinking water applications. Individuals developing improved methods for analyzing drinking water for pathogens of public health importance present their results during this meeting. A number of scientists from the Environmental Protection Agency (EPA) participate and discuss pending regulations and microbiological methods that we need to comply with regulations. The City of Pittsburgh Water Department is regulated by the EPA.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 558 Communication from Thomas Flaherty, City Controller, requesting authorization for Anthony Pokora, Executive Secretary, to attend the G.F.O.A. Annual Conference, held in Atlanta, Georgia, April 30 - May 4, 1988, at a cost not to exceed \$1,700.00, payable from Code Account No. 1048, Miscellaneous Services. This conference will benefit the Controller's Office because more than fifty informational, technical and skill-building training sessions will be offered. The sessions will offer information on how to utilize the latest techniques and technology in government finance. Experts will share their viewpoints on issues affecting state and local governments. More than 3,500 government finance professionals are expected to attend. There will be 3 employees attending this conference because of the sessions that will be available.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 559 Resolution providing for the issuance of warrants in the aggregate amount of \$12,500.00 payable as follows: Mercy Hospital \$470.00; Dennis J. Hurwitz, M.D. \$40.00; Jerome Wolfson, M.D. \$27.00; Morton Berkowitz, M.D. \$1,255.00; Mercy Hospital (Medical Records) \$17.00; Joseph M. Zoffer, Esquire (Attorney's Fees and Misc. Expenses) \$3,128.21; Gwendolyn Jackson, in trust for Monique Jackson \$7,562.79, c/o Joseph M. Zoffer, Esquire, 1516 Frick Building, Pittsburgh, PA 15219. This is in full settlement of the lawsuit at No. GD87-19285, in the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, arising from injuries sustained as a result of a dog bite by a City K-9 dog on December 24, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 560 Resolution providing for the issuance of a warrant in the amount of \$3,300.00 payable to Rosemarie DePellegrini, c/o JayH. Spiegel, Esquire, 4552 McKnight Road, Pittsburgh, PA 152137-3109; in full settlement of a claim for property damage resulting from a clogged sewer, which damage occurred between November 28 and December 16, 1985, at a plaintiffs



residence at 4739 Stanton Avenue, Pittsburgh, PA 15201, payable from Code Account No. 46, Judgments.

Also,

No. 561 Resolution transferring \$25,000.00 from Code Account 1042, Salaries, Department of the Mayor, City Information Systems to Code Account 1045-9, Worker's Compensation, Department of the Mayor, City Information Systems. The reason for this request is to cover the cost of a worker who was injured on the job.

Also,

No. 562 Communication from Richard S. Caliguri, Mayor, City of Pittsburgh, requesting authorization for James Simms to meet with officials from the Annie E. Casey Foundation, in Savannah, Georgia, April 21-23, 1988, at a cost not to exceed \$50.00 payable from Code Account No. 1017, Miscellaneous Services. The meetings to be held during this trip are in conjunction with the recently awarded \$12.5 million to the City of Pittsburgh to help at-risk youth.

Also,

No. 563 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Constance Miskis Zatek to attend the Newsletter Editing, Design and Production Seminar, Pittsburgh, Pennsylvania, May 12, 1988, at a cost not to exceed \$300.00, payable from the HUD/FHP Trust Fund.

Also,

No. 564 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley, Terry Woodcock and Barbara King to visit two separate Urban

Service Corps, in New York City, New York and Philadelphia, Pennsylvania, April 6-8, 1988, at a cost not to exceed \$2,000.00 payable from the JTPA-1 Trust Fund. The purpose of the trip is to have a first hand look at established Urban Service Corps to incorporate similar methods into developing a youth Urban Service Corps in the City. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 565 An Ordinance amending the Pittsburgh Code, Title 10 - Building, Chapter 1007, Section 513, et. seq. -Special Historic Buildings and Districts, by providing for added protection during the designation process. —  
(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Board of Code Review for report and recommendation.

**Mr. Pollock:**

I'd like to make the motion that Bill No. 565 is referred to the Board of Code Review before it comes to Council. It has to be reviewed by them.

**Mr. DePasquale** seconded the motion.

**Mr. Ferlo:**

Point of procedure. Could Councilman Pollock just clarify this piece of legislation and then secondly, procedurally, is this something that we first vote on and discuss and then it goes to Code Review? Or does it automatically go to Code Review when it's submitted?

**Mr. Perry:**

Usually it's referred to Committee and then from Committee it goes to the Board of Code Review.

**Mr. Pollock:**

We don't discuss it in Committee. We can't discuss it until the Board of Code Review acts on it.

**Mr. Perry:**

Right. The Board of Code Review has to act on it but Mr. Pollock is cutting corners just so it's sent down to --

**Mr. Ferlo:**

I want to be clear on the procedure. I don't know about the bill and I wanted to ask Councilman Pollock about it's content, but to be clear on the procedure, is this something that as an act of Council we are communicating this legislation to the Code Review for their consideration or is this coming from an individual member of Council? What is the precedent and what is the procedure?

**Mr. Pollock:**

The way the City Code reads, before Council can even address the issue, upon the introduction of it by any member of Council the Board of Code Review has to act on it and make a recommendation before Council even discusses it. Is that your recollection, Mr. Perry?

**Mr. Perry:**

That's correct.

**Mr. Ferlo:**

So it's going to Code Review not

necessarily on behalf of Council or coming with any affirmative or negative recommendation, but that's the procedure that has been in place?

**Mr. Pollock:**

It has to be that way.

**WHICH MOTION PREVAILED.**

**Mr. Wagner presented**

No. 566 Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings at a cost not to exceed \$400,000.00 chargeable to and payable from Code Account Capital Project Funds, FD 88-01, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read and referred to the Committee on Public Safety.

**Mr. Woods presented**

No. 567 Resolution providing for an Agreement or Agreements with the Southwest Pittsburgh Community Development Corporation for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988, at a cost not to exceed \$5,000.00 chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 568 Resolution providing for a Contract or Contracts, or the use of

existing Contracts for traffic signal installation at various locations within the City of Pittsburgh, at a cost not to exceed \$96,347.00 chargeable to and payable from Code Account PW 8704, Signals at Various Intersections \$31,347.00; and Code Account PW 88-05, Signals at Various Intersections \$65,000.00; Total \$96,347.00.

Also,

No. 569 Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete slab replacement at various locations within the City of Pittsburgh, at a cost not to exceed \$150,000.00 chargeable to and payable from Code Account CDPW 87-03, Concrete Slab Replacement Program.

Which were read and referred to the Committee on Public Works.

**The Chair presented**

No. 570 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Municipal Pension Fund as of December 31, 1986 and 1985 and the related statement of changes in net assets available for plan benefits for the years ended December 31, 1986 and 1985.

Which was read, received and filed.

**REPORTS OF COMMITTEES**

**Mr. Pollock presented**

Bill No. 571

Report of the Committee on Finance for April 6, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 463

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of forms handling equipment, continuous forms imprinter and detacher, folder-nester, and heat sealing equipment in connection with the City Employee Payroll Checks and Accounts Receivable Tax Statements for the Department of Finance; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 464

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with various laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees and candidates for employment and promotion; and providing for payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

Madam President and members of Council, on Bill No. 464, in relation to the expenditure to pay for various drug testing of new employees, people for promotion as well as existing employees, I cannot support this legislation as it is being presented by the Administration. I personally feel that the morale in the Public Safety Department is still extremely low; I find that there's a tremendous amount of divisiveness in the Department. I think there are a number of things that Council needs to review concerning policies that have been administered in the Police, Fire and EMS Bureau.

I still believe strongly that there will be, and I'm fearful that there will be, abuse by the existing administrators of the Department of Public Safety regarding the drug testing. I think, unfortunately, the drug testing will be selectively enforced. I don't see why we can't have reasonable cause when we are infringing upon people's rights. And I think the fundamental reason why I'm concerned is that drug testing and everything I've been able to understand from the scientific community is that it's not accurate.

For all of those combined reasons, I cannot in good faith support this legislation so I will be voting no. Thank you.

**Mr. Wagner:**

I move to recommit Bill No. 464.

**Mr. Woods** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And, a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

Bill No. 465

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 466

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Health Department for professional services in connection with rabies immunization for City of Pittsburgh employees; and providing for payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 468

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania-Pennsylvania State Police, Information Systems Division, 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110, in the amount of \$3,060.00 in payment for the relocation of the terminal from the

Communications Section to the Identification Section furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

Also,

Bill No. 473

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gooding Rubber Company in the amount of Fifteen Thousand Five Hundred Twenty Seven Dollars and Sixty Cents (\$15,527.60) in payment for a drag chain needed for the daily operation of the Asphalt Plant."

Which was read.

Also,

Bill No. 474

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Guardian Construction in the amount of Four Thousand Two Hundred Fifty (\$4,250.00) Dollars, in payment for plastering, installation of Batt Insulation, conduit raceways and Thoroseal Waterproofing at the Public Works' new Second Avenue location."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 572

Report of the Committee on Planning, Housing and Development for April 6, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 458

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (SIDEYARDS)."

Which was read.

Also,

Bill No. 459

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of

Pittsburgh and William and Ethel Johnson for the sale of Parcel 54 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 31 (PARKING & SIDEYARD)."

Which was read.

Also,

Bill No. 460

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Thomas E. & Roberta L. Herring for the sale of Parcels 106, 107 & 107A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARDS)."

Which was read.

Also,

Bill No. 461

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 462

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties for \$100.00 per lot as per the Property Management and Maintenance

Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 514

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the East End Cooperative Ministry for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 515

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bethlehem Haven for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 516

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 517

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miyram's for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Northside Common Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 519

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Whales Tale for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 520

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 521

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Women's Center & Shelter for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 522

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community Human Services for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 573

Report of the Committee on Parks and Recreation for April 6, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 424

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Three Rivers Arts Festival for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$12,000.00, and is chargeable to and payable from Code Account 1838, (183806) Miscellaneous Services, Department of Parks and Recreation."  
—(SPONSORED BY MR. POLLOCK)

Which was read.



**Mr. Woods:**

Madam President, I missed last Wednesday's meeting and I apologize for that. I suggest that Council rethink it's vote and vote in favor of giving this \$12,000 to the Arts Festival, especially those members who were on Council last year when we all voted for this budget and in that budget was the \$12,000 for the Arts Festival.

We give a lot of money away and \$12,000 is not a lot of money to give to the Arts Festival when we receive ten times that, and I hate to quote editorials in the newspapers, but just in parking taxes alone. All the people that come down here that go to our restaurants, our shops. I think it's a small contribution of \$12,000 from this Council.

I understand Council's feelings, Mr. Coyne's, about the Police protection, the EMS, the Fire, the refuse pickup. But I believe that just the people coming here in tens of thousands offset any other costs that we have. We make a lot of money on this and I urge Council to rethink its vote and vote in favor.

**Mr. Pollock:**

I think I have greater standing to discuss grants than any other member of Council since I'm the only one who has been opposing all the other giveaways that this Council recently approved. Like just last week the Little Leagues, the football teams, the local parades; anyone that comes up to Council can generally find someone dressed in a Santa Claus costume to give them something. In the end of the budget process in 1987 I opposed all these giveaways and I still oppose them.

My feeling on the gift, the grant, to the Arts Festival is that there should not be a grant but there should also not

be a charge. I think it should be awash. I think that, although the Mayor feels strongly about it and his Administration and his employees feel very strongly, his Directors, that Public Works, Public Safety, City Parks and other personnel and services that are supplied, some of the expense should be retrieved by way of a charge to the Regatta, the Arts Festival, the Marathon and so forth. But I think that what has to be looked at, as Mr. Woods so articulately stated, that the City reaps an enormous benefit from the Arts Festival in terms of not only parking taxes, which he alluded to, but also the room nights. The other events that are held are one day events; the Arts Festival is the only one that really benefits the hotels and the room nights. And if you have a person in this City overnight, the amount of money spent is enormous. They have to eat three meals a day; they have to do everything else that they have to do, shop and so forth. So, in that sense, the Arts Festival is unique.

In addition to that, the other organizations in this City which I have opposed receiving gifts, grants, are all groups that charge people; the Dance Council, the Ballet, the Opera, which I opposed all of them at this time and which I use probably more than any other member of Council, all charge; they all have an admission. The Arts Festival, there are no charges. So, that has to be looked at as well.

The Mayor, I believe, is taking the posture, I know some of his Directors are still of the posture that they are going to charge a certain percentage of the expense calculated for cost to the City. So, I would be my posture today that while I oppose that and I oppose the grant, that we approve the grant with the proviso that the grant be granted only if the charge to the Arts Festival continue. If the charge is removed, then

I would introduce the legislation to repeal the grant so that there would be no grant to the Arts Festival but no charge to the Arts Festival as well. The Arts Festival should be supported in terms of our personnel and our services to the Arts Festival, but no dollars going to it.

I think also that the Arts Festival should look very, very long and hard at the suggestion that the Mayor made and that artists have made to shorten the Arts Festival from 17 days to 10 days. I think that 17 days is too long; I think that many artists feel that it's too long and I would ask them to seriously look at shortening it to a 10 day festival.

But before us today is the grant with the knowledge that the City is going to be charging for services rendered, at least a percentage of it, 20 or 40 percent, whatever it is, which would mean that there be a negative cost, negative cash flow with the City. So, to offset that cash flow going back to the City, I would support the grant today but, again, if the City removes its charges, I would ask to repeal the grant so it would be awash and there would be no charge and no grant.

**The Chair:**

Mr. Wagner?

**Mr. Coyne:**

Madam President --

**The Chair:**

I'm sorry; did you have your hand up first? Excuse me, Mr. Wagner.

**Mr. Wagner:**

Okay, I'll yield.

**Mr. Coyne:**

I am the Chairman of the Committee and I would appreciate the chance to speak. But I will defer to Mr. Wagner since you called on him first.

**Mr. Wagner:**

No, I yield.

**The Chair:**

I didn't notice; I'm sorry. Mr. Coyne?

**Mr. Coyne:**

Madam President, I have been opposed and I am opposed to granting the \$12,000 to the Arts Festival.

If I may quote a newspaper article, the Pittsburgh Press, it says, "How can the City justify reductions in its financial support to the annual show?" The answer is simple; when you don't have the money, you don't have to justify not spending it.

I must reiterate to my colleagues, this is a regional event. Not only do the residents of the City attend, but residents from Westmoreland County, Washington County, Greene County, and other surrounding counties and municipalities attend it.

\$12,000, what we're talking about, isn't that much to an event such as the Arts Festival who has almost a \$1 million budget. But this \$12,000 could be better put to use by a community organization or a couple community organizations. If we took three community groups in some areas of Pittsburgh and gave them \$4,000 each, it could make a major impact in the programming and a major impact on the life in that community. And I think we would be better looking to spend the

money in that direction.

Also, on the contribution of the County to the Three Rivers Arts Festival, the County contributes roughly \$10,000. City taxpayers are also County taxpayers. That means, not only are we contributing in kind services which last year reached over \$76,000, but this year the City taxpayer will be putting in the City tax dollars to equal the \$12,000. Also, his County taxes will be giving another \$10,000 to the Arts Festival.

I realize that the City does gain a lot and I realize that is a very attractive event. But, so is the Regatta, so is the Marathon, so is the Vintage Grand Prix and so is the Children's Festival. City Council has not allotted one penny of a grant to any of those organizations or any of those events so I don't think it's fair, really, to award one group when you're not awarding the others.

So, I would ask my colleagues to think about not giving this \$12,000 because I feel it will set up an unwise precedent for the other events and, also, I don't think they need it. I think we're doing enough for the Arts Festival in in kind services.

**Mr. Wagner:**

Madam President and members of Council, I think there are two sides to this issue and I think it could be well debated here on this Council as to what should be done with this particular bill and an allocation of \$12,000 to the Three Rivers Arts Festival.

I do want to state that in response to Councilman Pollock, this is one Councilmember that on all grants and donations, and I voted for the budget in 1988 and I voted for this \$12,000 allocation to be put in the budget, I did it with a lot of forethought as to whom I

thought deserved to get City taxpayer dollars through grants and donations. This was one of the groups that I voted for, and I voted for the budget, and the majority of Council at that time also voted for the budget; not all Councilmembers but the majority of Council did. And this particular item was not line item vetoed by the Mayor at the time. I think there was justification for that and the justification for it was the benefit that this particular event brings back to the City of Pittsburgh. When I say benefit, I'm talking about economically and culturally.

The investment of services that we give towards a special event does have a direct return to the City of Pittsburgh. It has a direct return in terms of parking taxes, it has a direct return in terms of many other types of taxes, wage taxes, etc., to the Downtown merchants and surrounding merchants in the City of Pittsburgh. The use of our hotels is up drastically through the Three Rivers Regatta; the use of restaurants and the use of stores in Downtown Pittsburgh increases during that period of time. It has been estimated that \$13 million is brought into our economy. If three-fourths of that is outside the City of Pittsburgh, I think that's terrific because that's approximately \$9 million that we would not have had in our economy during that time frame if we did not have this event going on.

I think that's the important factor here. Do we want an event like this, and if we do want it, are we willing to support it to some degree? I understand that the Three Rivers Arts Festival operated at a deficit last year of \$50,000; approximately 40 percent of the revenue to operate it which is approximately \$1 million per year comes from the various vendors and the people participating in the Three Rivers Arts Festival. The other dollars come from

corporations, foundations and individual donations to the event.

I think the return that we're getting is significant and I don't believe that a \$12,000 allocation is excessive and I think it's a tremendous benefit to this City. Anyone, any resident of this City, can go to the Three Rivers Arts Festival for nothing, in essence, can go down there and can enjoy themselves for 17 during that entire event. Now, whether or not the event should be 17 days or not I think is a good issue that Councilman Coyne has brought up, that the Mayor has brought up, that this Council in the past has brought up. And I think it's in the best interest of this Council and the Mayor and the Three Rivers Arts Festival to sit down with them between now and 1989 and let's talk about the length of this festival. And if it's beneficial economically to the City, let's support it. If it's not beneficial, let's not support it at the length of time in which it is being suggested. I believe that can be accomplished through the permits that are granted for the event.

But at this point in time, I voted to put this in the budget in December of 1987 for the 1988 budget and I am again, today, voting for this \$12,000 allocation.

**Mr. Lyons:**

I'll be very brief. I'm not flipflopping but I would vote for the bill today having found that it was part of the budget for 1988, voted in by Council. And if we were to take that out, I can sympathize with my colleague, the Chairman, Councilman Coyne, very readily; but if it had not been in the budget, I would not have voted for it. But for \$12,000, we get too much returns for this small thing. I understand that we've already given them a lot of money but if we voted no and it's a line item in the budget, then what would be safe in

the budget? Therefore, my vote will be in the affirmative for the \$12,000.

**Mr. Ferla:**

I think it's very important that we support the Festival; I don't think there's any question and I would not attempt to dispute the information that I know we received in the mail today I assume from the organizers of the Festival where they talk about, in good detail, the hundreds of thousands, if not millions of dollars that are brought in in revenue to the City. I don't dispute that.

I think it's also very clear that this Council and the Administration is very concerned about helping the Downtown community in bringing in more pedestrian traffic and more people who will come into town to spend money. I don't dispute that.

However, I, in good conscience, cannot vote to support the \$12,000 appropriation but what I would argue very clearly is that the \$12,000 is not really the meat of the issue here. I would concur - and again, it's always fortunate, once in a while you get to agree with an adversary because I think Mr. Pollock has made an important point which I agree with - the real issue to me is not the \$12,000 but the amount of money that represents five or six times that amount of money that the City is requesting or demanding or arguing should be returned to the City coffers, some \$50,000 or \$60,000 in reimbursement for services.

I'm opposed to appropriating the \$12,000 but, on the other hand, I think it's important and I agree with the Festival organizers and those in the Downtown community about the value and the good that comes out of the 10 day or 17 day or I could care if it's 25 days because we do reap tremendous

benefits from that. I'm voting against the \$12,000 because other groups have not received this appropriation. But, on the other hand, I think it's wrong for the Administration to receive reimbursement for services because I think this should be something that is legitimately a contribution from the City because we reap tremendous benefits from it.

The other thing I'm concerned about as I look at the cross section of Pittsburghers who attend various events. The Administration funded the Pirates' \$21 million bond issue. We've given an \$11 million bond issue for DeBartolo for the activities at the Civic Arena. There are hundreds of thousands of dollars that we've spent in other kinds of activities in Parks and Recreation. All of these various events attract different types of folks from the Pittsburgh community; there are those who would go to the Festival and enjoy that activity as taxpayers and residents who don't necessarily participate in and support the Pirates affair or the activities at the Civic Arena. So, I think we ought to try to reach out and broadly represent all of the varied interests of our constituents.

So, again, I'm saying very clearly that I'm voting against the \$12,000 appropriation; I agree with Councilman Coyne. But I'm fundamentally opposed to the Festival being plagued with having to make a reimbursement for services.

I'll close by asking that the headliner who does the Post-Gazette please read the article because I think the article did a disservice by somehow suggesting that this Council voted to give money to emergency shelters but then was being Uncle Scrooge in voting against the \$12,000 appropriation. The money for the emergency shelters are categorical federal grant monies and we are acting as a conduit for those funds.

So, I'd like to encourage that individual to read the article before they put broadside headlines on the newspaper.

Thank you, Madam President.

**Mr. Pollock:**

I'd just think it should be pointed out that it's very difficult for anybody to vote against this when it is truly an investment that brings dollars in when this Council last week gave away money to organizations that bring no money into the City whatsoever. I don't think this Council should be in the business of funding Little Leagues and football teams and local parades and everything else that bring no money, no economic development benefits and nothing else. It should be purely self-sustaining. And everyone on this Council except myself voted to give this money away and now, a week later, something that's truly an investment, not to mention the improvement of the quality of life, is now being opposed by certain people. So, I think it's ludicrous to even discuss that.

**Mr. Coyne:**

Madam President, I wasn't going to comment any further until Mr. Pollock made his comments on the Little Leagues. I think it is a fine investment for the City to invest its money back to the taxpayers and to fund programs such as Little Leagues and neighborhood events. I think we have to give our citizens something for their money and not only services but we have to work on increasing the quality of life out in our neighborhoods. They're the folks who live in the City, they're the people who are paying the four percent tax, they're the people who deserve to get something back from City government besides services.

Also, to talk about the \$12,000

again, it is a small amount of money for that festival. Granted, it is a good festival and it does bring money into the City. But, once again, it is a regional event. And as Councilman Ferlo so aptly put, we fund things in this City so much for people who live outside, it's about time we start worrying about our own house and invest the money in something for Pittsburghers.

**Mr. DePasquale:**

Question called for.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|             |              |
|-------------|--------------|
| Mr. Lyons   | Mr. Woods    |
| Mr. Pollock | Mrs. Masloff |
| Mr. Wagner  | (Pres't)     |

AYES 5 NOES 3

(MR. COYNE, MR. DEPASQUALE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Wagner presented**

Bill No. 574

Report of the Committee on Public Safety for April 6, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 469

A Resolution entitled, "Resolution amending Resolution No. 16, approved January 28, 1988, effective February 2, 1988, entitled: 'Resolution providing for an Agreement or Agreements with Instructors for the Training Academy and decreasing the amount from \$20,000.00 to \$11,600.00 and providing for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 575

Report of the Committee on Engineering and Construction for April 6, 1988.

transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 450

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for Renovations to Various Public Buildings and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 451

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for Repairs to Phipps Conservatory Entrance Roof; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 511

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of an Aviary Quarantine Building and various Miscellaneous Repairs; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

The Chair presents

No. 579 Resolution that the reappointment by the Mayor of Lela Burgwin of 5700 Fair Oaks Street, Pittsburgh, Pennsylvania 15217 is hereby confirmed and appointed as a member of the Historic Review Commission for a term to expire December, 1990.

Which was read.

Also,

No. 580 Resolution that the reappointment by the Mayor of Mr. Thomas M. Schmidt of 1060 Highmont Road, Pittsburgh, Pennsylvania 15232 is hereby confirmed and appointed as a member of the Historic Review Commission for a term to expire December, 1990.

Which was read.

Also,

No. 581 Resolution that the reappointment by the Mayor of Robert Lurcott, Director of the Department of City Planning, to the Historic Review Commission for a term to expire December, 1989.

Which was read.

Mr. DePasquale moved to approve all reappointments.

Mr. Woods seconded the motion.

Mr. Ferlo:

Madam President, the two individuals, Burgwin and Schmidt, are they City residents?

Mr. Perry:

5700 Fair Oaks Street.

The Chair:

That's Squirrel Hill.

Mr. Perry:

And Schmidt is 1060 Highmont Road, 15232.

Mr. Pollock:

32 is all in the City of Pittsburgh.

Mr. Ferlo:

Okay.

WHICH MOTION PREVAILED.

Mr. Coyne:

Madam President, I'd like to make the motion that the public hearing be televised tomorrow.

Mr. DePasquale seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Madam President, just a couple of points very briefly. I would like to ask Council to communicate or have the City Clerk communicate either to the Port Authority or to the Police Department or to our Solicitor, and I'm not sure who, on the issue of the Fifth Avenue Bus Lane which, if I read the paper correctly, yesterday another individual was killed stepping off the curb in the Oakland corridor. I have not kept track but my recollection over the last five or six years in particular, I can recall at least five or six individuals who have been killed stepping off the curb onto the busway.

I think it's time for City Council to review this matter. Personally, when it was originally approved by Council to give the Port Authority that right of way, I had called it into question at that time. But I think given the sinful number of people who have been killed there, and again, a number of these people were out of town individuals visiting family members at the area hospitals, I'm asking Council to please look into this matter. Ask for the information because specifically I'd like to know when the designation comes up again on the right of way that I believe was permitted by Council ordinance.

So, I'd like some information from the Administration regarding the number of deaths in that corridor since the changeover that took place. And at that time, I would like to suggest that Council consider moving back the buslane to the Forbes Avenue corridor so that it's logical and that it's safe for pedestrian and vehicular traffic.



**The Chair:**

What specifically do you want now?

**Mr. Ferlo:**

I'd like to get this information vis-a-vis the City Clerk to, I believe, possibly the Department of Public Safety. I would imagine it would be the appropriate individual and possibly the Port Authority.

**Mr. DePasquale:**

On that same subject, if you don't mind, Jim. There's a lot of construction going on out in that area right now; McKee Place, Forbes Avenue, down by the University Inn, what have you. They definitely should have a flagman or a policeman out there during the day, especially for pedestrians. It's almost impossible to cross the street at Forbes and McKee, almost impossible. You have to go out into the middle of the street and there's nobody down there directing traffic, no flagperson whatsoever. Up at Meyran which is just block from where that construction is taking place and I can imagine in all that confusion that person stepped off that curb and boom. I'm not blaming the driver or anybody else; it's just a mess up there.

**The Chair:**

Don't you think that's the responsibility of the contractor to provide that? We will write them a letter; I'll ask Mr. Gaetano —

**Mr. Ferlo:**

I have no problem with that but in addition I would like to receive this information from the Port Authority and the Department of Public Safety.

I might point out to

Councilmembers, if you go out to the area the yellow line which used to be painted there is completely wiped away and worn away so when people are stepping off the curb, they don't really realize unless they're looking to the left, which is not your natural reaction to look that way, that there is the buslane. I think this is the third individual who was out of town visiting the hospital system there, stepping off the curb.

So, immediately I think the Public Works Department could at least get out there and paint a red line from Craft Avenue straight down to Bellefield and at least highlight the area so that people at least look that something is different on the street before they jump off the curb.

But on a longer range, I think Council should re-evaluate its designation of that Parkway. I see no reason whatsoever why the busses couldn't continue to go straight down Forbes Avenue like they used to 12 or 13 years ago. So, I would like that information forwarded.

On two separate matters, and I'll be very brief —

**Mr. Wagner:**

Could I comment on the same issue.

**Mr. Ferlo:**

I have no problem as long as I can continue to have the floor to discuss two brief other issues.

**Mr. Wagner:**

On this issue, Madam President and members of Council. I'm glad Councilmen Ferlo and DePasquale brought the issue up. I think it does need

some dialogue and some information and I'm pleased to hear that the information is being requested from the Port Authority as to the number of accidents that we are having here and the number of injuries. In addition, the similar type of information from the Public Safety Department and/or Traffic Engineering which, I understand, falls under Engineering and Construction.

I would also like to know from our Solicitor, in regard to the same issue, whether legislatively we can require the Port Authority to install a guardrail along the entire length of where a bus route is that is going in the opposite direction of a one-way street. If we can do that legislatively, I believe we should pursue it here in this Council because there have been too many injuries because of people walking out into a street, and I think the cause is that they think it's one way, going in one direction only, and all of a sudden you have a bus coming in the other direction right along the curb lane which is normally a parking lane. That's the real problem here; it's normally a parking lane.

So, I think if these lanes are to continue, we definitely have to institute some additional safety measures, possibly requiring the Port Authority, not the City but the Port Authority, to install a guardrail along the entire length except at intersections. And also some signs that are at eye-height instructing pedestrians that this is a bus lane as soon as you step off the curb. To my knowledge, they do not exist or, if they do exist, they're not easily visible.

I would like that letter to go to the Solicitor as soon as possible. If we can legislate that, I would like to legislate that with a separate piece of legislation.

#### **The Chair:**

Mr. Perry, will you write to Mr. Pellegrini?

**Mr. Perry:**

Yes.

**Mr. Ferlic:**

Very briefly on two other points, on the continued issue regarding the appointment, or the not appointment of Mr. Walkowski and the appointment of Mr. Noonan, again, I'm not reflecting any comments relative to Mr. Noonan; I don't really know the gentleman at all but I assume he's very well qualified. I do have a major problem with him representing the Urban Redevelopment Authority and then going on the Board of Adjustment.

In addition, I think I've expressed myself on the issue of Mr. Walkowski not being permitted to finish out his term.

Thirdly, I am concerned generally about some of the appointments the Mayor has made, continually nominating people who are non-City residents for important policy making, decision making boards and authorities in the City of Pittsburgh.

I would like to ask, because I don't know if other Councilmembers have received phone calls, but I have received at least three phone calls from neighborhood groups in the last week and a half asking for their right to have some kind of dialogue or the right to a public hearing on the matters of the appointments. I would like to ask Council, prior to final approval of the appointments of Mr. Noonan and others, to at least allow for a public hearing, allow the citizens and neighborhood groups the right to communicate their

concerns to Council on the non-residency as well as the potential conflict of interest regarding the appointment of Mr. Noonan representing the Urban Redevelopment Authority.

So, I'd like to make a motion to conduct a public hearing regarding this issue of the Mayor's appointments.

**The Chair:**

We've never done it before where appointments are concerned.

Is there a second to the motion?

Hearing no second, it fails for the lack of a second.

**Mr. Ferlo:**

The third thing I'm concerned about, Madam President, it's come to my attention that the Deputy Director or Assistant Director of General Services purchased an automobile.

**The Chair:**

What's the name? Who is it?

**Mr. Ferlo:**

I believe the individual's name is Susan Goetz. I don't want to point an accusatory finger but I believe it's been the standing policy of City government not to allow employees to purchase automobiles from the tow pound or from the auction block, whether it be our own fleet or automobiles that the public no longer has possession of.

The information that I understand regarding this issue at least suggests an impropriety and a lack of judgment on the part of this individual and I think it's important that Council receive a report from Director Botsford regarding this

issue. My information would at least suggest that this Deputy Director tried to circumvent the process as well, and I'm concerned about that.

So, I would like to publicly call for the Director to respond to Council in writing and give us a report regarding the purchase of this Ford Granada, what were the circumstances, how can a Department Assistant Director not be aware of a long-time policy of City government. Did she attempt to circumvent the process? How much is the car worth? And how can we now suggest, as the Department Director has to me, that the automobile will be returned? I'd like to know from the Solicitor how one legally returns an automobile to the tow pound having already purchased it. It sort of mesmerizes me from a legal point of view.

So, for all those reasons, I'd be happy to draft a memo for Mr. Perry. I would like this Council to receive a formal report from the Director and the Administration regarding this issue.

**The Chair:**

We will ask for that report, Mr. Ferlo.

**Mr. Wagner:**

Just a couple quick items, Madam President. In regard to the letter that was sent to LTV, I hope all Councilmembers are aware that they have agreed to come into Council this Wednesday, April 13th, at 1:00 p.m., to put on a presentation about the present condition of the LTV South Side J & L Works. This is purely an informational presentation about that entire 72 acre site.

The other meeting that is coming

up relating to a very important City issue is tomorrow at 1:30. Koppers has requested to have a meeting with Council to give us an update on what is going on, obviously, to keep Koppers in the City of Pittsburgh.

**The Chair:**

Thank you.

**Mr. Lyons:**

I believe that Councilman Wagner a few moments ago said that he wanted the City Clerk to write a letter to the Port Authority about putting up a railing. I would like to sit with Councilman Wagner before the letter goes out. Would you give me that courtesy?

**The Chair:**

Do you want to add to it?

**Mr. Lyons:**

Yes.

**Mr. Wagner:**

Okay. If I may add, my initial request is from the Solicitor to ask to what degree we can legislate requirements that would be mandated to the Port Authority such as a guardrail.

**Mr. Lyons:**

I'll join in that.

**Mr. Woods** moved to approve the Minutes of Monday, March 21, 1988 and Monday, March 28, 1988.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to excuse Michelle Madoff for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, April 18, 1988

No. 16

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, April 18, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

I would like the following people who are victim service people to please come forward: Mary Alice Gorman, Mary Phan-Gruber, Carol Campbell,

Mary Cartwright, Marcella Cipriani, Jeff Kerr, Molly Knox, Amory Clark, Melanie McNair, Sandra Zolten, Shirley Darby, Kurt Trazella, Sophia Prince, Mary Anne McClair and Katie Clouse.

##### The Chair and Mr. Wagner present

No. 612 WHEREAS, some 35 million Americans are crime victims each year; and

WHEREAS, victims of crime and their loved ones in the City of Pittsburgh suffer grave financial, physical and psychological losses; and

WHEREAS, the trauma of victimization may affect victims and survivors in Pittsburgh and elsewhere for a lifetime; and

WHEREAS, many victims and survivors of crime exhibit determination, strength and courage in the aftermath of a crime; and

WHEREAS, certain groups—such as racial minority victims, victims of hate crimes, homeless victims, chronically mentally ill victims, gay and lesbian victims, elderly victims, child victims, surviving relatives of homicide victims, victims of drunk driving, victims of sexual assault, differently-abled victims, spouse abuse victims, catastrophic physical injury victims, and burglary victims—are often undeserved in many of our communities; and

WHEREAS, all citizens of the City of Pittsburgh deserve to be treated with

dignity, compassion and justice and

WHEREAS, many victims and survivors still do not receive appropriate treatment in the aftermath of crime; and

WHEREAS, thousands of our fellow citizens in their work and their volunteer activities are helping victims of crime and crises.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of April 17 through April 24, 1988 as "VICTIM RIGHTS WEEK" and urges all citizens and institutions in the City of Pittsburgh, public and private, to support the establishment and enforcement of victims rights and services through participation in local and state activities commemorating those rights.

Mr. Wagner moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Gorman:

On behalf of representatives here today from Mothers Against Drunk Driving, Pittsburgh Action Against Rape, Womenspace, Womenspace, Family Resources, Allegheny County Center For Victims Of Violent Crime, Women's Center and Shelter, the Hope Center and Crisis Center North, I thank City Council once again for the compassion and support they've shown to victims of violent crime. Before many other governmental agencies were looking to the needs of victims, the elected officials in Pittsburgh were certainly looking not only to the needs of victims but to lending that support for them. We thank you for this resolution.

Mr. Wagner:

I also would like to commend all of you. One of the most horrible experiences anyone can go through in life is a crime of various types. We want to publicly thank each and every one of you for making that experience a little less frightening to all those people. Thank you.

Michelle Madoff:

Madam President, I'm really certainly supportive of the rhetoric of having the week declared Victims' Rights Week but boy there's a lot more that needs to be done. I need to see this Administration and this Council when budget time comes up to have our priorities in order and we need to see that you get here at budget time, get on the agenda, call Mike Perry at 255-2138 and make sure that your needs and your causes are addressed.

Mary Alice, I know you have an association where you help each other and maybe there's one building that we can put you in and maybe there something from an administrative point of view that we can make your operation more efficient. And you know you can count on my help any time as you have in the past.

Mrs. Gorman:

Thank you all.

Mr. Lyons:

Would Dr. Reid, Dr. Faison, Mr. Robinson and all those who are affiliated with NEED come forth please?

Mr. Lyons presents

No. 613 WHEREAS, the late Mrs. Louis J. Reizenstein and Mr. James A.

Jordan, with the assistance and dedication of many committee volunteers, founded the Negro Educational Emergency Drive to financially assist students and provide motivational stimulus to those who would aspire to post secondary education; and

WHEREAS, 21,208 grants have been allocated to Pittsburgh and Western Pennsylvania area students; and 5.5 million dollars have been generously contributed by Pittsburgh and Western Pennsylvania based corporations, civic and social organizations, as well as individuals; and

WHEREAS, the Negro Educational Emergency Drive continues to provide counseling, financial assistance and educational information to area youths; and

WHEREAS, on Tuesday, April 19, 1988, at the Pittsburgh Hilton Hotel, "NEED" will celebrate its 25th Anniversary.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of all its citizens, recognize the contributions, dedication, accomplishments and volunteer spirit of Executive Director Herman L. Reid, Jr., ED.D., and his staff and volunteers, past and present; Chairperson of the Board of Trustees, Mrs. Helen S. Faison, PH.D., and all Trustees; Mrs. James A. Jordan, Founder; and the late Mrs. Louis Reizenstein, on the occasion of the Negro Educational Emergency Drive's 25th Anniversary celebration.

Mr. Lyons moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Mr. Lyons:**

Madam President, here in this crowd that has been very supportive of NEED we find two of our erstwhile Councilman, namely the senior man being Brother Jordan who has served on the Council of the City of Pittsburgh, and Brother Bill Robinson.

We will now hear expressions first from Mr. Reid and he will be followed by Dr. Faison and then in the order that they choose thereafter.

**Mr. Reid:**

I want to say on Council on behalf of the Negro Educational Emergency Drive and the more than 15,000 young people who have benefitted and for those who have yet to be served, NEED is proud to accept this resolution. And as we all know, education today is the key to what will happen to the future of our country and we wish to have this continued support. And for those of you who would like to, we invite you to attend the dinner tomorrow at 6:30. Thank you, Council.

**Dr. Faison:**

As Chairperson of the NEED Board of Directors, I wish also to say thank you for this resolution and proclamation.

With your permission, I would like to defer to Mrs. Marion Jordan, one of the two original founders of NEED who is present here.

**Mrs. Jordan:**

Thank you, Dr. Faison and thank you Herman Reid.

This really is a very happy day and I can tell you that I don't feel a day older than I did 25 years ago when Jim sat here

on City Council and when Florence Reizenstein and I started this project.

Pittsburgh has always been a can-do city and I hope you're carrying on that reputation. We've cleaned up the City, we've developed the City, we passed the second best housing legislation in the City, New York was first. Many things have been done in this City and the reservoir of goodwill and talent is really unlimited.

So, I'm delighted to come back from Boston where I now live, where the Boston Celtics abide, and where today there is the Boston Marathon. I'm delighted to come back here because a part of our heart is here and I'm so delighted that this is carried on and the people who have diligently carried out the mandate that Florence and I felt was important for this City. Imagine more than 21,000 grants have been given; that in itself is extraordinary, isn't it?

So, keep up the good work and a part of my heart is right here in Pittsburgh. Thank you.

**Mr. Jordan:**

Madam President and members of Council, it's a pleasure to be back here. I've had so many warm memories of my experiences here except that we fought and I understand that you don't fight now. But so many good things have been done. One thing I can tell you all is that you'll look back on this experience on Council because it's a real opportunity to do good and to see the results of your activities, and that means a great deal. We've been able, I hope, to carry the message to Boston and other places of the good that's done in Pittsburgh as the Number One City.

I saw NEED grow from just an idea and my wife turned to me one night at

home and said, as the result of the assassination of Medgar Evers, "What can we do?" She said, "Something has to be done." I said, "Well why don't you do it?" And out of that really literally grew the idea of NEED. She and Florence Reizenstein got together and invited a few people to a meeting to discuss it. Jack Coleman who was then a professor at Carnegie Mellon coined the name NEED, Negro Educational Emergency Drive. As a matter of fact, the group was so small, I remember the first time they were going to have a dinner, the hotels wouldn't trust them; they wouldn't give them any credit for the dinner. They raised \$10,000 that first year to help the average student, not the top student or the bottom, but anyone who needed money to go to anything to get to school. Traveling around the country we have met more NEED recipients who are so grateful for the opportunity that was afforded to them and we've met people who are millionaires and successful performers and education people and everything. It just shows you what an idea will do.

Again, my heart goes out to you. It's so good to be back here in these Chambers; it brings back already so many memories. Thank you.

**Mr. Robinson:**

Madam President and members of Council, it's always a pleasure to return; it's my third time. I come more often than Councilman Jordan.

I've had the honor and perhaps distinction of being perhaps the first NEED recipient, certainly one of the first, before the organization had the type of structure that it has today. I remember being at Ohio State University and needing \$200 to complete my undergraduate education and I couldn't find it anywhere. I thought about NEED



because I had worked at the Urban League the summer before that, the summer of 1963; I guess I'm telling how old I am. I was very heartwarmed to get the response by way of a check within a week from NEED. I serve today on the Board of Trustees and it's nice to know that this organization has existed for 25 years. My sister was a NEED recipient; I have a cousin who was a need recipient. There are many young men and women who need the help of NEED. I got \$200 25 years ago and the average grant from NEED today is only about \$500 so we need a lot more money.

I think that I am some proof that NEED works and that there are young people, if you help them, they will come back and serve. I had the honor to serve on this Council for eight years; I considered it an honor and I still consider it an honor, and I thank you very much for the recognition that you've given to NEED today.

**Mr. DePasquale and Mr. Wagner present**

No. 614 WHEREAS, on March 30, 1988, the Pittsburgh Firefighter's Union Local #1, under the leadership of President Bernard R. Burns, held their annual luncheon at Poli's Restaurant; and

WHEREAS the purpose of this luncheon was to honor Pittsburgh firefighters who have distinguished themselves in the line of duty during 1987; and

WHEREAS, 15 firefighters were chosen this year by an Awards Committee who reviewed acts of valor or heroism which were considered above and beyond the normal realm of duty; and

WHEREAS, the firefighters chosen to be honored were Capt. Paul Beattie, Capt. George Devinney, Capt. James

Flaherty, Lt. Harry Hores, Lt. Robert Walker, Lt. Chester Morgan, Firefighters Ronald Hintz, Gary Miller, Allison Plutt, William Robertson, Barry Hilling, Thomas Castle, Joseph Hannah, Joseph Dugan, James O'Toole, James Bisby, and Firefighter Raymond Erfort who received two awards.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates and commends these firefighters who risked their lives so that others might live and thanks them for their total dedication to saving the lives of the people of Pittsburgh.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

I'd just like to say that the heroic efforts of these people here just symbolize the great Fire Department that we have in the City of Pittsburgh. I was at that luncheon; unfortunately, it was held when Council had a meeting, I went to a funeral and I had a chance to get out to the luncheon and none of the other Councilmembers could because they were at the meeting and that's the way it should have been. But at the same time, they've done this for the last three or four years and I just thought that it was about time that we gave them a second honor and brought them into Council and recognized them here.

Without further ado, I'll hand out the resolutions and then ask a couple of them to speak.

**Mr. King:**

First off, I want to thank Council personally. It's an honor to accept this resolution on recognition of the firefighters. President Bernie Burns was not able to make it here and again it gives me great honor to represent Mr. Burns and a fine group of firefighters like these fellows who are standing before you.

I apologize for the other recipients of this resolution for they had to be at duty today. But believe me, the men and women that accept a career in firefighting go out every day and risk their lives. It's a privilege that when they're recognized by their peers for distinguished for their service up and beyond the call of duty. It's an honor to be recognized by the public and I thank you personally. Thank you.

**Captain Flaherty:**

I'm Captain Flaherty; I work on Allequippa Street in the Hill District. All I'd like to say is that I thank Council for what they're doing today for us, but they also recognize our union pretty good. Every man on the job deserves this award today, not only us few right here or us few who got it a few days ago. We all do this every day of our lives and people don't understand this. It's just like going to work every day; it's a normal thing for us to do. I appreciate it; thank you.

**The Chair:**

Thank you, gentlemen.

**Mr. Wagner:**

Madam President, I'd like to ask the North Catholic Girls' Trojanettes Basketball Team and the Principal, Athletic Director, Coaches and everyone

that's here from North Catholic to please step forward for this resolution.

As everyone will see in the resolution, this is the fourth State Championship for this school and basketball team in the 1980's.

**Mr. Wagner and Mr. Woods present**

No. 615 WHEREAS, the North Catholic High School Girls Basketball Team displayed outstanding basketball talents during the 1987-88 season, compiling a record of 32 wins and only 1 loss; and

WHEREAS, the "Trojanettes" captured the Western Pennsylvania Interscholastic Athletic League (W.P.I.A.L.) Class Triple A Championship by defeating Beaver Falls; and

WHEREAS, the Trojanettes defeated Lancaster Catholic High School, 59-52, at Hershey Park Arena for their 25th consecutive victory and the Pennsylvania Interscholastic Association Class Triple A Championship; and

WHEREAS, the Members of the North Catholic State Championship Team are: Jackie Capizzi, Joni Pavlasky, Liz Flynn, Molly Larkin, Amy Gierl, Jennifer Phillips, Michele Klaas, Heather Eyerman, Jill Bujalski, Heather Lazzara, Jeanine Megahan, Karen Kokoski, Lisa Depp, Lisa Darkey, Kathy Exler, Amy Ott, Marcie Popek, Diane Palmieri and Carol Messmer, the team statistician; and

WHEREAS, this is the fourth state championship that Coach Don Barth has led the Trojanettes to in the 1980's and North Catholic is the first team in PIAA History to win four girls state basketball titles.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to the North Catholic High School Girls Basketball Team, Principal Dr. James DeTrude, Athletic Director Leon Kosakowski, Assistant Athletic Director James Porter, Head Coach Don Barth, Assistant Coaches Bob Darkey, Ken Gierl, Bill Larkin, Frank Windisch and Publicist Don Ireland on their outstanding regular season play and on winning the AAA State Championship and the WPIAL AAA Championship; and

BE IT FURTHER RESOLVED, that the Council declares the week of April 25 through May 1, 1988 to be North Catholic Trojanettes Championship Basketball Week in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Before asking Dr. DeTrude and Leo Kosakowski to say a few words, I'd also like to say that a publicist on Ireland is with us and he has been very instrumental; also in putting together this resolution Ralph Horgan in the back of the room has supplied quite a bit of information.

We also understand that you only have three seniors this year which means that the majority of this basketball team will be back next year and that is a great tribute to the school, to the Troy Hill community, all of North Side. We can't say enough about you and what you add to the City of Pittsburgh.

First of all, I'd like to ask Leo

Kosakowski to come forward and say a few words and then Dr. DeTrude. Congratulations.

Mr. Kosakowski:

Madam President and Councilmembers, I'd like to, on behalf of the school, thank you for acknowledging our school by recognizing the accomplishments of these 18 young ladies and the gentlemen who are their coaches. This is a classic example of teamwork, whether they are a senior or freshman, whether they are a starter or substitute, it's an example of teamwork as illustrated by this resolution. This is the only girls' team that has won the State title four times. Thank you.

Mr. Wagner:

This is Principal Dr. DeTrude and he is going to introduce one of the seniors to say a few words.

Mr. DeTrude:

Madam President and members of Council, I want to take this opportunity as the Principal at North Catholic to thank the members of Council for recognizing the achievements of young people in our community. I think it's tremendously important that the Council is very much aware of the outstanding efforts put into their education that these young people are achieving. Basketball is a particular example this afternoon regarding the achievements of these young women. The quality of these young women is just tremendous. And what I'm very happy about is that they keep their grades up. They're hard-working individuals and they had to accomplish academic responsibilities in order to participate in our basketball program. It certainly is a tribute to them and to their coaches that they have been able to maintain as a team a B

average. And as an educator, as a principal, that delights me. It's important that North Catholic continues to make the educational contribution in the City of Pittsburgh that it has made over these many years. So, for those opportunities that you've given me to make these kinds of statements, I'm extremely grateful.

It is my pleasure at this time to introduce one of our senior captains, Joni Paulasky.

**Joni Paulasky:**

We'd just like to thank City Council for this proclamation. We're proud of our school but mostly of the City that we live in. Thank you.

**Michelle Madoff:**

I would hope that the young ladies who have shown such dexterity and skill might consider, among many other thoughts, consider a career as police officers and firefighters. Obviously you have dexterity, you have skill, and if you can pass the academy, we'd like to have you.

**Mr. DePasquale:**

If I may, I don't know any of these young ladies and I don't know Marcie Popek but I do know her dad. I also understand that Mr. Popek delivered newspapers to Councilman Lyons many, many years ago.

**Mr. Wagner:**

I might also add that they're all very pretty.

**The Chair:**

Thank you all very much.

**Mr. DePasquale presented**

No. 582 Resolution amending Resolution #540, effective June 17, 1985, entitled: "Providing for a Cooperation Agreement or Agreements with the County of Allegheny for the design, furnishing and installation of a fire alarm system and other building modifications to the City-County Building needed to meet life-safety aspects of the City of Pittsburgh Building Code; and providing for the payment of the costs thereof," by providing for a Supplemental Cooperation Agreement and by increasing the total project allocation by \$10,000.00 from \$279,912.40 to \$289,912.40.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 583 Resolution Repealing Resolution No. 367, effective April 23, 1985, entitled: "Providing for a Contract or Contracts for the Construction of Mountain Road Extension at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 84-38, Miscellaneous Repairs to Streets and Structures."

Also,

No. 584 Resolution providing for a

Contract or Contracts, or use of existing Contracts for various Stadium Traffic Improvements at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 88-19.

Also,

No. 585 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Thomas Olivo to attend the Western Section of the Pennsylvania-Delaware Chapter of the American Society of Landscape Architects' 1988 Chapter Annual Meeting and Continuing Education Seminars at the Vista International Hotel, Pittsburgh, Pennsylvania, April 7-9, 1988, at a cost not to exceed \$117.00, payable from Code Account No. 1482, Miscellaneous Services.

**(PRIOR APPROVAL GRANTED)**

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 586 Resolution Repealing Resolution No. 185, effective March 30, 1988, entitled, "Nominating the South Side Pittsburgh Works, LTV Steel Corp., to be a Historic site under Section 513 of Chapter 1007 of the Pittsburgh Code".

—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Ferlo** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

Also,

No. 587 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Robin Smith, John Davis and Ed Rose to attend the "Waste Expo '88", in Washington, D.C., May 5-6, 1988, at a cost not to exceed \$750.00, payable from Code Account No. 1128, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Which was read and referred to the Committee on General Services.

**Mr. Lyons presented**

No. 588 Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Allegheny County Medical Society located at 713 Ridge Avenue, zoned "R5" Multiple-Family Residence District, to expand their facility to include additional parking at 701 RIDGE AVENUE and to occupy the church building with proposed extensions at 717 Ridge Avenue, 22nd Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 589 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for Albert Pasquarelli and himself to attend the American Water Works Association Annual Conference and Exposition, in Orlando, Florida, June 18-24, 1988, at a cost not to exceed \$3,600.00, payable from Code Account No. 1622, Miscellaneous Services.

Which was read and referred to the Committee on Water.

**Mr. Pollock presented**

No. 590 Resolution providing for the issuance of a \$1,256.63 warrant in favor of John B. Acierno in settlement of claim for automobile damage by a City Police vehicle on January 23, 1988 at California Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 591 Resolution transferring \$10,000.00 from Code Account No. 1022 (102202) Salaries, Regular Employees, Pittsburgh Magistrates Court, Office of the Mayor, to Code Account No. 1022-1 (102210) Premium Pay, Pittsburgh Magistrates Court, Office of the Mayor.

Also,

No. 592 Resolution amending Resolution No. 620, part of Item 1, approved July 16, 1986, which authorized the sale of property in the 16th Ward, being a vacant lot, located at 2706 Niles Street, designated as Block 13-H, Lot 38 to Timothy C. Hughes and Rita M. Hughes, his wife. The reason for the amending resolution is to delete two lots, being Lot (1) Burham Street bet. Cologne and Clover Sts. 20' X 95' and being Lot (2) Niles Street bet. Cologne and Clover Streets 12.58' X 80' and also delete Plan Lot Nos. 35-36.

Also,

No. 593 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for James Simms to meet with Annie E. Casey Foundation, Harrisburg, PA, April 12, 1988, at a cost not to exceed \$250.00, payable from Code Account No. 1017, Miscellaneous Services. The

purpose of this trip is to meet with members of the Annie E. Casey Foundation to discuss the \$12.5 million awarded to the City of Pittsburgh. (PRIOR APPROVAL GRANTED)

Also,

No. 594 Communication from James Turner, Director, Department of Finance, requesting authorization for Daniel Jeffreys to attend the American Payroll Association's Payroll Training Course in Pittsburgh, PA, July 18-19, 1988, at a cost not to exceed \$600.00, payable from Code Account No. 1063, Miscellaneous Services.

Also,

No. 595 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara King to attend the Hall of Fame Champions of Older Workers Council's Annual Banquet, in Harrisburg, PA, May 3, 1988, at a cost not to exceed \$314.74, payable from the JTPA-1 Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 596 Resolution requiring that the Port Authority of Allegheny County install crash attenuators on all safety islands located on public streets within the boundaries of the City of Pittsburgh used for the purpose of boarding and discharging passengers for mass transit purposes. —(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 597 Resolution providing for the issuance of a warrant in favor of Granville Associates, Inc., 600 Logan Street, Carnegie, PA 15106, in the amount of \$1,722.12 in payment for the filing system furnished for the benefit of the City, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account No. 1405.

Which was read and referred to the Committee on Finance.

Also,

No. 598 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Ray Micknowski, Bureau of Police to attend a seminar entitled, "Sexual Assault and Violent Crime" at the Butler Community College, Butler, Pennsylvania, April 22, 1988, at a cost not to exceed \$30.00, payable from the PSTA Code Account. Sergeant Micknowski is very active in the organizations for violent crimes and represents the City in the teaching of family violence. He is also on the Attorney General's Task Force on "Elderly Abuse".

Also,

No. 599 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for William Trémpus, Firefighter

Instructor, Bureau of Fire, to attend the National Fire Academy, in Emmitsburg, Maryland, April 25 - May 6, 1988, at a cost not to exceed \$232.00, payable from the PSTA Code Account. The purpose of attending this two-week course is to improve communication skills in the delivery of public fire education and burn prevention education programs.  
(PRIOR APPROVAL GRANTED)

Also,

No. 600 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Fire Chief John R. Leahy, Jr., Bureau of Fire, to attend the meeting of the Aerial Task Force, Chicago, Illinois, May 4-7, 1988, at a cost not to exceed \$830.00, payable from the PSTA Code Account. Chief Leahy is the Secretary of the Aerial Task Force. The reason for his presence at this meeting is necessary because as a user of aerial devices and elevated streams, his input is in the development of the standards for the safety of firefighters.  
(PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

Mr. Woods presented

No. 601 Resolution providing for an Agreement or Agreements with the Lutheran Service Society for the furnishing of professional services in connection with their U.S.D.A. Commodity Distribution to the needy, for the benefit of the residents of the City of Pittsburgh during 1988 at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, in the Department of City Planning.  
(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 602 Resolution vacating an Unnamed Way between Lakewood Avenue and Werder Street in the 20th Ward of the City of Pittsburgh.

Also,

No. 603 Resolution vacating a portion of Hassler Street between Wymore Street and Weston Way in the 20th Ward of the City of Pittsburgh.

Also,

No. 604 Resolution vacating Mossrose Way between Flute Way and Groveland Avenue in the 32nd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

#### The Chair presented

No. 605 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss their opposition to the closing of the Connelley Skill Learning Center. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 606 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the change in traffic patterns on East Ohio Street, North Side, City of Pittsburgh. (This petition is invalid in accordance with Section 320(a) because it did not include the statement "that all petitioners intend to attend this public hearing").

Which were read, received and filed.

#### UNFINISHED BUSINESS

##### Michelle Madoff:

Madam President, Mr. Ferlo introduced a bill today repealing Resolution No. 185 which is the historic site for the J & L plant. I have no problem with his introducing that bill; it will come up routinely a week from Wednesday. However, in speaking to Peter Kelly, the Executive Vice President of LTV in Cleveland, it appears that there is a major problem. The problem is they can wait two weeks because there is an on-going meeting and dialogue that seems to be productive between Art Ziegler of the Historic Society and LTV, J & L. But they are holding up a contract for removal of asbestos so the people don't get asbestosis. The asbestos removal people who are licensed and qualified are hard to come by and they have a contract to start immediately. If they don't allow them to continue with the asbestos removal, the people available to them will go elsewhere and it will be a long time before they're back to do the job.

So, I would like to, if Mr. Ferlo agrees, waive Rule 8, have the issue come up this Wednesday and amend the repealing of the bill to allow the asbestos removal to continue. I don't know what the Parliamentarian would indicate but perhaps we could exempt that particular aspect right now under Old Business.

##### Mr. Ferlo:

Mr. Wagner had organized a very important post agenda a week ago which yourself and Mr. Lyons and Mr. Coyne, I believe, and maybe a couple other people were there also. It was a very interesting post agenda and I think it



shed a lot of different light on the issue of the demolition and the historical designation issue.

I want to defer to Mr. Wagner at this time who I believe is helping to prepare some further additional information regarding this issue. I have no problem, personally, ready to debate the issue on Wednesday. I don't want in any way to limit Mr. Wagner or others who want to prepare some additional materials for discussion before City Council. I know he's working on this issue and I wanted to know if he has any input at this time or any problem with expediting the discussion.

**Mr. Wagner:**

Madam President, I'm not sure if that can be done from a legislative point of view, amending that bill to permit asbestos removal. I think that would have to be through excluding that portion of the site from the historical designation. And basically, that's been the intent all along here; to determine up front what portions of the site warrant historical designation and which portions of the site can be re-used for steel-making operation and designate that portion of the site historical, or request that it be designated, and then take the remaining portion of the 102 acres and let's get on with demolition and re-use of the property. Now whether or not that portion falls into Councilwoman Madoff's — What she's referring to, I'm not certain.

**The Chair:**

Are you suggesting then that we hold the whole thing?

**Mr. Ferlo:**

Can I just conclude? I just wanted to hear Mr. Wagner's comments. I have a

suggestion, if Michelle would find this suitable. I think her point is well taken about the issue of asbestos. I would prefer to expedite this discussion for Wednesday, as Michelle has suggested, and in that vein I would hope that we would repeal the previous designation. That would allow the removal of the asbestos and the other activities to begin immediately. But we then would still have the prerogative as early as a week or two later to then redesignate a portion at least of that property, if that's what the opinion of the majority of Councilmembers is.

I'm personally opposed to any of the designation because I'm opposed to the notion of historical use of that property. That's my own individual opinion. But I don't feel that we should impede the efforts of the LTV Corporation as it relates to the removal of PCBs and asbestos and getting rid of some of the site that really needs to be demolished. That's why I introduced initially the resolution today to repeal the historical designation. But if we can expedite the discussion, waive Rule 8 and have the discussion on Wednesday, we can move on this point.

**The Chair:**

You're the maker of the motion, Mr. Ferlo; what do you want?

**Mr. Ferlo:**

I want to be clear that this is what Michelle is trying to put through.

**Michelle Madoff:**

Madam President, J & L needs to proceed as of this moment with the removal of the asbestos. They have a contract; they have the people ready to go. There's no way that we can amend the bill that is not before us so I'm

suggesting, since this is Monday, that we waive Rule 8, it comes up on Wednesday and we can amend the bill. Even if we're going to hold it for two weeks, it can still be amended to exempt the removal of asbestos. That would be a minimum and then if it takes two weeks to resolve, the repealing or whatever have you, so be it. They can live with two weeks as far as repealing the bill. They can't live with two weeks on the asbestos; they need to have that amended today. And further, if they don't get it, they're going to court and seek an injunction under the bankruptcy rules and it's going to cost the City taxpayers money and they're going to proceed in any event.

So, my suggestion is that we waive Rule 8, have the issue come up on Wednesday. Mr. Wagner can talk to Mr. Peter Kelly, he's the Executive Vice President of J & L; I'll give him the number there. You can speak to anybody and everybody can have their input on Wednesday as to what they want to do. But we cannot hold up the removal of the asbestos; that has to proceed immediately.

As I said, we cannot amend a bill that is not before us. I strongly suggest that we waive Rule 8 and at least discuss it on Wednesday.

**Mr. DePasquale:**

Point of Order, Madam President. I refer this question to Mike Perry. Mike, are we empowered to repeal a bill within the same year?

**Mr. Perry:**

Yes.

**Mr. DePasquale:**

Within what period of time?

**Mr. Perry:**

You can do it within a week. There's no time limit on it.

**Mr. DePasquale:**

We could do it five months from now, six months from now?

**Mr. Perry:**

Right.

**Mr. Ferlo:**

On a Point of Procedure, Madam President. The only way to resolve this issue of the asbestos is to expedite the discussion on my legislation which repeals the historical designation and have that discussion Wednesday and I would urge Council to support that resolution to repeal the previous designation. Then the removal of asbestos can happen instantly. Procedurally, that's the only thing on the table right now without a new bill being introduced to amend the specific bill that Mr. Pollock had introduced a couple of weeks ago.

Let's be clear procedurally that at this point, unless someone can correct me or explain to me, the only thing right now on the table is the bill that I have introduced. We can waive Rule 8, we can support it, and the asbestos removal can take place.

**The Chair:**

Is that your motion at the moment?

**Mr. Ferlo:**

I make a motion to waive Rule 8 so that we can consider --

**Mr. Lyons:**

Point of Order. Madam President, I think since the bill has already passed, we would have to reconsider that bill to amend part of it.

**Michelle Madoff:**

We're not going to amend it. I just want to waive Rule 8.

**Mr. Perry:**

Waive Rule 8 so it goes into Committee on Wednesday.

**Mr. Lyons:**

Let me ask the Law Department here. We already have a bill that's passed. Now, they want to reconsider that bill for a part to amend it.

**Parliamentarian:**

You can always amend part of a bill.

**The Chair:**

But we don't have a bill before us because the bill was passed. We want to repeal the bill then we can have discussion and decide what we want to do on it. That's my understanding.

**Michelle Madoff:**

Excuse me, Madam President. You don't mean you want to repeal the bill; you want to have discussion on the repealing of the bill on Wednesday by waiving Rule 8 and at that point it would be the prerogative of this Council to repeal the bill or not to repeal the bill or to make amendments. But you can't do anything until the bill is before us.

**The Chair:**

Mr. Ferlo, it's your bill; what is your motion?

**Mr. Ferlo:**

My motion, first of all, and let's be clear, Michelle, the only thing on the table that we're legally allowed to enact and discuss on Wednesday would be the bill that I have submitted today which we can waive Rule 8 on and discuss. But that legislation repeals the previous historical designation. Any other notion of amending the previous bill that was introduced by Mr. Pollock would have to have been introduced for discussion today. So, the only thing on the table on Wednesday will be my legislation to repeal the historical designation and, as Michelle points out, we can amend that bill.

With that in mind, I make the motion to waive Rule 8 so that the bill, whatever number it be, may be discussed at the Wednesday session.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                          |
|-----------------|--------------------------|
| Mr. Ferlo       | Mr. Wagner               |
| Mr. Lyons       | Mr. Woods                |
| Michelle Madoff | Mrs. Masloff<br>(Pres't) |

**AYES 6**

**NOES 2**

(MR. COYNE AND MR. DEPASQUALE  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Michelle Madoff:**

Madam President, Point of Order. I think Mr. Ferlo is correct that you can't amend a bill that isn't before us and the bill before us will be only the bill, I'm talking about Wednesday, will only be the bill to repeal.

I think what we need is an opinion from the Law Department by Wednesday which will clarify whether there is a motion to keep the historic bill as it is but to allow J & L to proceed on the asbestos removal, whether we cannot infringe on the rights of the environmental regulations which may precede our regulations under federal law to just take that little portion out but to hold off the other issue, a bigger issue, and I think we're going to need somebody here on Wednesday because I think Mr. Ferlo is correct. If I had had time and had known before, I learned about it five minutes to two, I might have introduced a bill saying while the issue of repealing or the existing bill on J & L historic site is in effect, that I move to just amend the issue of asbestos to give them a chance to proceed. But since I didn't introduce that and I couldn't introduce it until next Monday and it couldn't come up until next Wednesday and it couldn't be voted on until the following Monday, they cannot wait two weeks on the asbestos removal and they will go to court on that. I'm suggesting that they're going to have to wait until Wednesday but by Wednesday we should be able to make an amendment to the bill.

**The Chair:**

There may be more amendments than just that to the bill.

**Michelle Madoff:**

I think that's the one that we have to deal with immediately. And we better have somebody here from the Law Department to address that issue.

**Mr. Ferlo:**

Madam President, on this very point. I wanted to indicate to my colleagues that I hope that my colleagues will allow the Steel Vally Authority representatives to appear at the table to speak to this point. Obviously, if someone objects, then we will have a problem. But I wanted to let that be known today because I did want to extend an invitation to those representatives.

**Michelle Madoff:**

I support that and I would say that I'd also like to have Art Ziegler from History and Landmark here, or a representative, so that we can get the issue resolved. Can we make a motion, Madam President, that both of those parties will be notified to be here Wednesday?

**The Chair:**

Does anybody object? If there are any objections we can't ask them. Is there anybody who objects to asking those gentlemen?

**Mr. Woods:**

To what?

**The Chair:**

To appear at our Wednesday meeting.

**Mr. Woods:**

I do.

**The Chair:**

You object?

**Mr. Woods:**

Yes.

**The Chair:**

Well then we can't have them. Sorry about that.

**Mr. DePasquale:**

You need a unanimous vote.

**Mr. Woods:**

If I may make a point, Madam President. We asked to hold that bill for a week so that LTV could come in here and talk to Council and Council said no. So, rules apply to everybody. If somebody wants to hear from this group, call a post agenda like Mr. Wagner did. End of subject.

**The Chair:**

Okay, so we cannot invite them to come to the Wednesday meeting. You'll have to call a post agenda.

**Michelle Madoff:**

Madam President, with all due respect, I don't believe that Mr. Woods was in the room when the issue was initially discussed. The issue of the repealing or maintaining the historic site

is not the issue. The issue is that there is a contractor ready to go ahead right now with removal of the asbestos. And if they are not able to proceed, they will go to court on it. I'm asking that we amend whatever bill we have on Wednesday but the only bill that can be amended is the one before which will be the bill to repeal. Something will have to give because I don't see any sense in wasting taxpayers' money defending an issue that we're sure to lose. I think the federal laws and the DER state laws on the removal of asbestos take precedent. I think that perhaps there's some confusion as to what we're asking to do, and that is, unfortunately, I can't amend a previous bill that has been passed unless I introduced it and that would take weeks and the asbestos contract would be held up.

**The Chair:**

The point I'm making, Michelle, is that there may be other amendments or other changes in the bill.

**Michelle Madoff:**

My point is that if Mr. Woods holds as the only person to say no to having the guests invited that Mr. Ferlo suggested, and that is the LTV people, and I say if you have them, since I'm aware and I also stated earlier before Mr. Woods joined us, that Mr. Art Ziegler and J & L have been working and need two weeks to resolve the problem, that we cannot hold up the asbestos while they're working out their two weeks. Our normal course of government in its normal procedure would be two weeks. So, I'm just saying, that in that particular instance we have a dilemma and the dilemma is that we cannot amend a bill that will not be before us. We can't amend Mr. Pollock's bill. We can only amend the bill that Mr. Ferlo will have, since he waived Rule 8, before us on Wednesday and if we do not

allow those people to come to the table, we'll be voting in a vacuum, uninformed, and I don't see why anybody would want to be an obstructionist, and I would ask Mr. Woods to reconsider having them come to the table.

**Mr. DePasquale:**

Point of Order, Madam President. We've heard this spiel ten times now. Let's ask Mr. Woods if he'll change his vote; if not, let's move on.

**The Chair:**

That's right.

Now to move on with Unfinished Business, appointments to be approved.

**The Chair presents**

No. 495 Resolution that the appointment by the Mayor of John Noonan, 815 Woodbourne Avenue, Pittsburgh, Pennsylvania 15226 is hereby appointed and confirmed as a member of the Board of Adjustment for a term to expire April, 1991.

Which was read.

**Michelle Madoff:**

On that bill, may I ask a question? Madam President, as I was leaving to go on vacation, I received correspondence which I guess everybody else did about a member of the Board of Adjustment who had served for - I believe it was the Board of Adjustment, I may not be sure and I just need some clarification on this - who has served for a number of years and is just a couple of months away from fulfilling the required time for pension -

**The Chair:**

He's not on this list.

**Michelle Madoff:**

I know he's not.

**The Chair:**

Well then that issue is not before us.

**Michelle Madoff:**

The problem is, I just wonder whether we voted without being aware there was a replacement. I thought there was an opening, a vacancy. When I voted for Mr. Noonan, who I think is an excellent candidate, I voted as an assumption, erroneous obviously, that there was an opening, a vacancy. There was no vacancy; it was a replacement. And I think all of us have been contacted about what is perceived to be an injustice and I wonder if somebody could tell me what the latest status of that was.

**The Chair:**

It's my understanding that the previous person has put a letter of resignation in. They have a letter of resignation from this other gentleman. And the bills before us now are the final action on these appointments to be approved.

**Michelle Madoff:**

Madam President, I agree with you that you want to stay to the subject matter before us but when this Council votes in an uninformed manner, and I certainly must say that a lot of us felt that way, that we did not know that this person was going to be let go just a couple of months before he had served out the length of the term that would have entitled him to some benefits, we should have known that and I think it's important to bring that to the table.

And this is the appointment that we're voting on now, or we're accepting or being notified of.

**Mr. DePasquale:**

Point of Order, Madam Chairman. Both of the gentlemen, Mr. Walkowski and Mr. Noonan, are close personal friends of mine; yet there's something very erroneous about this pension stuff and I think Mr. Walkowski would be the first to admit it. He's not being denied his pension; he's being denied the full pension which, in the City of Pittsburgh is 20 years of service and 60 years or better of age. Mr. Walkowski is approximately my age, he went to Schenley High School with me, so I know he's about 66. Mr. Walkowski has about 19 years and 4 months including his service time; he's about 8 months short. I would hope that he would have been allowed to serve that time out but he tendered his resignation as you said. But he will get a pension, maybe one percent, or two, less than a full pension.

**Mr. Ferlo:**

Point of Procedure, Madam President. Could you clarify how we're going to vote on these bills that Mr. Perry will be reading?

**The Chair:**

Individually.

**Mr. Ferlo:**

Isn't it appropriate that the discussion take place following the introduction of each bill or at the end? I would like to address a number of these bills and I would like to know from the President at what time is it appropriate for me to address my opposition to some of these appointments.

**The Chair:**

Each appointment will be separate and we will discuss each one as their names are presented. The first one is Bill No. 495, the Board of Adjustment, Mr. John Noonan.

**Mr. DePasquale:**

Motion to approve.

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

Discussion on Bill No. 495, the appointment of Mr. Noonan. First of all, I know Mr. Noonan, I worked with him in the past on the Armour project. He's obviously very well qualified and a wonderful gentleman. That's not the issue before us here today.

First of all, I think the Mayor had misled City Council in his communication to us regarding the issue of Mr. Walkowski. It implied somehow that Mr. Walkowski had tendered his resignation. That actually was not the situation; the situation was that Mr. Jacoby had called Mr. Walkowski in the office and basically had suggested to him in very clear terms that he was no longer wanted on the Board of Adjustment and that the Administration expected his resignation. And Mr. Walkowski being the gentleman and the non-adversary that he is, certainly cooperated. I don't dispute the fact that the Mayor makes the appointments, but Council does provide some overview on this issue.

The problem that I have with Mr. Noonan, quite frankly, even though he happens to be very well qualified, is that he continues to have an employment relationship by way of consulting with the Urban Redevelopment Authority. And I believe very strongly that there

should be some separation and I think there potentially is a conflict of interest between him being paid by the Urban Redevelopment Authority in the Real Estate Division, and also being a voting member of the Board of Adjustment. I think the Board of Adjustment is a body that has to make some very important decisions. I'd like to know what is so important on the part of the Administration's agenda over the next few months that they must have further control over the Board of Adjustment and its decisions on major developments that will take place in an around the Downtown area, because I think that's part of the problem.

I had asked, but Council did not support, requesting a public hearing so that this matter can be discussed because I know a number of neighborhood groups are concerned that the Board of Adjustment remain impartial and fair, both to developers and to neighborhood organizations. I am fearful that with the appointment of a URA representative to the Board of Adjustment that that will not be the case.

So, I wanted to clarify why I'm voting no on the appointment of Mr. Noonan. In addition, I do believe strongly, although we're not able to deal with it today, that Mr. Walkowski should have been allowed the opportunity to finish out his tenure on the Board of Adjustment. So, very clearly, I'm voting no on the appointment of Mr. Noonan; I think it's a conflict of interest.

**Michelle Madoff:**

Madam President, I don't see the conflict between the Board of Adjustment and the URA for Mr. Noonan. However, I would like to make a suggestion and I hope I get a second. I'll make it in the form of a motion that a letter go to the Administration urging

them to keep Mr. Walkowski for an additional 8 months as an extra member, or a senior member, or a merit member of the Board of Adjustment so that he can have his 8 months' time in and I think that would be the honorable thing for this body to do. I think he's been a very effective member; I've worked with him personally over the years and I would like to see support for that motion.

**Mr. Ferloc:**

I have no problem with that but I think the motion is out of line at this time. I think it would have to be raised under Motions and Resolutions. It's part of the agenda and I would certainly second it.

**Michelle Madoff:**

I'm only suggesting; we have no authority to do it. I'm suggesting that we send a letter to the Mayor and to the Administration that in the interest of fairness and justice that they allow Mr. Walkowski to serve out the eight months on that Board. I think that's the honorable thing for us to do.

**Mr. DePasquale:**

Point of Order, Madam Chairman. I believe I made the motion a couple of weeks ago that we send a letter to the Mayor requesting that he allow Mr. Walkowski to serve somewhere in the City for eight or nine months so he would get the full pension. So, this motion really would be moot.

**Mr. Pollock:**

In regards to Michelle's motion, I'm sure that she's well-intentioned except that Council is constrained by several things; number one, of course, the budget which only funds three individuals for the



Zoning Board of Adjustment, and number two, I believe the City Code delineates the membership and the appointments to the Board of Adjustment only being three members. So, I don't think Council, by motion, can extend the size of any Board that is set by City Code, nor can it amend the budget when there's not the dollars for it. So, there's no way that Council could really entertain that motion; I think it would have to be ruled out of order.

**Michelle Madoff:**

Excuse me, may I respond, Madam President? Perhaps what we ought to say is that we let Mr. Walkowski finish out his eight months and let Mr. Noonan serve after that time.

**Mr. Wagner:**

Madam President and members of Council, I think this appointment is one of the most important in the City of Pittsburgh. The Zoning Board of Adjustment is a three member board and any one appointment can be a swing vote on the Zoning Board of Adjustment. We all know how important that is in all development, in all areas of the City of Pittsburgh. We have many, many zoning public hearings here in front of City Council.

I think we have a couple problems we're wrestling with here and the one that has been brought up is a conflict of interest. I also agree that this appointee is as competent an appointee as you could come by for this Zoning Board. However, we cannot, I think, in good conscience appoint anyone, no matter who it is, to the Zoning Board of Adjustment if they are working on a consulting basis with another entity of Pittsburgh City government which is the Urban Redevelopment Authority.

So, for that reason, I think it's important that we at least delay appointment until there's a clarification or a restriction of another position that this individual has at this time.

In addition, I am also concerned with the person that has handed in their letter of resignation, has been asked to and has done that. And I think the excellent way to address this whole situation, and obviously only the Administration can do it, Council can only do half of it with the appointment, is for us to delay this appointment until that other position that Mr. Noonan has is eliminated and during the interim for Mr. Walkowski to continue to serve and to also continue to accumulate additional retirement benefits, possibly up to 20 years. He's only several months short. That's my recommendation.

**The Chair:**

There's a motion before us now to approve Mr. Noonan. It's been moved and seconded. Unless they want to remove that name, we can't demand they change it. So, with that in mind, I will ask for a vote on the appointment of John Noonan to the Board of Adjustment.

**Michelle Madoff:**

Excuse me, Madam President. I am abstaining and I think you're allowed to explain an abstention. My reason for abstaining is that I think Mr. Noonan would be a great public servant, I don't have a problem with the conflict; I just want to see fairness extended to Mr. Walkowski. If that can be arranged, then I would change my vote.

**Mr. Wagner:**

My reason for abstaining, Madam President, is that I don't believe we can make an appointment to someone who is

also receiving dollars from another entity of this government and the Zoning Board.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Woods    |
| Mr. Pollock    | Mrs. Masloff |
|                | (Pres't)     |

AYES 4                      NOES 3

(MR. COYNE, MR. FERLO AND MR. LYONS VOTING NO)

(MICHELLE MADOFF AND MR. WAGNER ABSTAINING)

And there not being five votes in the affirmative, the appointment was tabled.

**Mr. Ferlo:**

Could you clarify the status of the legislation, although I hate to dwell on the obvious?

**Mr. Perry:**

That appointment is tabled; it can be brought up at a later date.

**Mr. Ferlo:**

Is the legislation defeated or is it tabled?

**Mr. Perry:**

It's tabled; it can be brought up at a later date.

**Mr. Ferlo:**

Could you explain why it's tabled as opposed to defeated?

**Mr. Pollock:**

If it obtains the majority but not five votes, then it doesn't die. It's effectively tabled and it can be brought up again. It did receive a majority but it didn't receive five votes. He received a plurality but he didn't get five votes.

**Mr. DePasquale:**

Madam President, I wish Council knows, or they should know, that the Board of Adjustment has three members and two constitutes a majority. So, they'll be operating with two members until we approve an appointment. No doubt if the Mayor doesn't persist in Mr. Noonan, he'll come up with another appointment and not Mr. Walkowski.

**Mr. Ferlo:**

The Mayor also has the option to rip up the resignation letter of Mr. Walkowski and I urge his honor to do that.

Also,

No. 496 Resolution that the appointment by the Mayor of Timothy G. Uhrich, 137 Grandview Avenue, Pittsburgh, Pennsylvania 15211, be and the same is hereby approved and confirmed as a member of the Pittsburgh Water and Sewer Authority for a term to expire April, 1993.

Which was read.

**Mr. Lyons** moved to approve the appointment.

**Mr. DePasquale** seconded the motion.

**Mr. Ferlo:**

Discussion. On this gentleman who is a political appointee of the Mayor, I have a number of problems with this. First of all, I think it's a total waste of a very important position on the Water and Sewer Authority. I think it's very clear that in the upcoming months, as has been the case in the last year alone, there have been significant rate increases faced by the people who have to pay water and sewage rates. It's clear that that is an important authority that has tremendous power over hundreds of thousands, if not millions of dollars, in consultants and other types of capital projects that will be bid out. I think it's important that there be someone from the business community, someone from the environmental community, someone who can add some quality and some additional discriminating vote to the Water and Sewer Authority, not a hand-picked political appointee of the Administration. The Water and Sewer Authority, against my better judgment, was created by this legislative body and I feel that except for the contributions of Mr. Wagner and Davis and possibly one or two others, it's an authority that's out of control. I'm totally opposed to a political appointee, part of the inner-circle of the Administration, being used as one of the replacements on this very important authority. I don't think the ratepayers and the consumers are having justice in this regard and I'm totally opposed to the appointment of Mr. Uhrich.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 7                      NOES 2

(MR. FERLO AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Also,

No. 501 Resolution that the appointment by the Mayor of Arthur Schock, 316 Fourth Avenue, 1001 Commonwealth Building, Pittsburgh, Pennsylvania 15222 is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

**Mr. Woods** moved to approve the appointment.

**Mr. Wagner** seconded the motion.

**Mr. DePasquale:**

Mr. Schock has a Fourth Avenue address, which is in the City of Pittsburgh obviously. I presume he doesn't live there; Councilman Coyne told me that's his place of business. I just wanted to make that fact known.

**Mr. Ferloc:**

As I indicated in the Committee session, all three of these people have made a contribution in the past. They have served; I was not on City Council in the past. I cannot in good faith support the nomination of these three individuals based only on the issue of the fact that they do not live in the City of Pittsburgh. I find it outrageous that we have an Administration that appoints people to major decision-making boards in City government, and these are individuals who do not live in the City of Pittsburgh. I have a fundamental problem with that to the same extent that I have a problem with people living outside the City who work for the City of Pittsburgh. Again, I'm voting no on 501 and 502 and 503 based specifically on the issue that these people do not live in the City of Pittsburgh and I resent the fact that they have major decision-making power over my life.

**Mr. Pollock:**

After it was revealed by the Chief of the Bureau of Building Inspection as to why individuals were nominated who did not reside in the City, what I learned was that because of the requirements that the City Code puts on the appointments to be Board of Code Review members and the duties that are required by service on the Board of Code Review, Mr. Imhoff told me that it is difficult to find individuals to serve on this Board and that he had asked around to try and find people and that he found it to be a quite arduous task. Maybe he hasn't looked hard enough. I would hope that the Mayor and his Administration and the Chief of the Bureau of Building Inspection have made a diligent effort; I can only take them at their word. It's not always a joy to serve on some of these boards that are totally anonymous and require a great deal of time. It's

nothing at all that benefits any one individual; it's a public service, it's certainly not a private gain.

**Mr. Wagner:**

I just have one comment. True, the individual doesn't live in the City but he does work here and by having a business and working here he does have a vested interest in the City. In addition to that, these three appointments, under the Board of Code Review and the Art Commission, are all non-paying appointments. These people are volunteering their time to the City.

**Mr. Pollock:**

I forgot to mention also that if indeed they have businesses, then they are City taxpayers. Whether they're City wage taxpayers they are City business privilege taxpayers and that certainly makes them individuals that have standing in this City, legal standing.

**Michelle Madoff:**

I have only one concern. I would challenge Mr. Imhoff to prove that there are no people who are qualified who are dedicated to the City of Pittsburgh and its best interest and who have eminent qualifications that could not be available or would not volunteer to serve on the Board of Code Review. I don't believe it and I believe that just our statement here today, there will be people who will come out of the woodwork who would say, "I would like to serve" who are eminently qualified.

I agree with my colleague, Mr. Wagner, that in the case of Mr. Schock he does have a business and certainly an interest in the City. I would not have a great problem with that. I don't know about the other two; are they both non-City resident?

**Mr. Ferlo:**

Yes.

**Michelle Madoff:**

And they do not have businesses in the City?

**The Chair:**

Yes they both do; they told us. They both own businesses in the City.

**Michelle Madoff:**

I know that Mr. Schock does; I don't know that Eugene Dotter and I believe that Anna Marie does not. She works in the City; that's nice, I'm glad she has a job. Does she pay a four percent wage tax?

**Mr. Ferlo:**

Madam President, very briefly I will make the point, and due respect to Mr. Imhoff, I think there are any number of representatives of labor organizations as well as neighborhood-based community groups throughout the City who would jump at an opportunity to have a designated individual on the voluntary Board of Code Review. Frankly, I think the information from Mr. Imhoff is a bunch of baloney and I think some of these people should be solicited and I'm sure that they would jump at the opportunity to sit on the Board of Code Review. And I hope that in the future, some of those constituent groups will be solicited for nominees to these various authorities and boards.

**Mr. DePasquale:**

I want to explain my vote on these three people before we do the voting. I've never voted for anyone out of the City whether it was a volunteer job,

whatever, unpaid and so on, unless that party had agreed that they would move into the City or make an effort to move into the City. I want that on the record that I've been consistent and I'll continue to be in regards to non-residents serving on boards or whatever.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Michelle Madoff | Mr. Woods    |
| Mr. Pollock     | Mrs. Masloff |
| Mr. Wagner      | (Pres't)     |

AYES 5                      NOES 4

VOTING NO:

|                |           |
|----------------|-----------|
| Mr. Coyne      | Mr. Ferlo |
| Mr. DePasquale | Mr. Lyons |

And there being a majority of the votes of Council in the affirmative, the appointment was approved.

Also,

No. 502 Resolution that the appointment by the Mayor of Eugene V. Dotter, 2068 Palm Avenue, Pittsburgh, Pennsylvania 15235, is hereby confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

**Michelle Madoff:**

I'd like a question answered. Does

he own a business in the City? Does anyone know? Or does he have a job in which he doesn't pay four percent wage tax?

**Mr. Woods:**

I think so.

**Michelle Madoff:**

Think so isn't good enough. Does he or doesn't he?

**Mr. Woods:**

I think so.

**Michelle Madoff:**

Since I don't know the answer, I'll abstain.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|             |                          |
|-------------|--------------------------|
| Mr. Pollock | Mr. Woods                |
| Mr. Wagner  | Mrs. Masloff<br>(Pres't) |

**AYES 4                      NOES 4**

**(VOTING NO:**

|                |           |
|----------------|-----------|
| Mr. Coyne      | Mr. Ferlo |
| Mr. DePasquale | Mr. Lyons |

**(MICHELLE MADOFF ABSTAINING)**

And there not being five votes in

the affirmative, the appointment was tabled.

Also,

No. 503 Resolution that the appointment by the Mayor of Anna Marie Guzman, 114 Doray Drive, Pittsburgh, Pennsylvania 15237, is hereby appointed and confirmed as a member of the Board of Code Review for a term to expire April, 1991.

Which was read.

**Mr. Wagner:**

I would just highly recommend the appointment. We interviewed these people and I think they're qualified.

**Mr. Ferlo:**

Just to reiterate, there's no indication that this individual has a business in the City.

**Michelle Madoff:**

Since I'm going to abstain, I'll explain my vote. I love to see women getting the opportunity to serve on boards and commissions, unlike Michelle Madoff who has been here ten years and has only served on one commission for six months, one of the authorities, and it's a joke. I shouldn't be voting for anybody until I've had an appointment which is incidentally a violation of the Home Rule Charter. But my objection is that I'm going to be consistent in the fact that either you have a job in the City and pay taxes, or owned a business. And since she has neither, I feel it is improper to vote for her so I'll abstain -- Excuse me, I'll vote no.

**The Chair:**

Is there any further discussion on

the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|             |              |
|-------------|--------------|
| Mr. Pollock | Mr. Woods    |
| Mr. Wagner  | Mrs. Masloff |
|             | (Pres't)     |

AYES 4 NOES 5

VOTING NO:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Mr. Lyons       |
| Mr. DePasquale | Michelle Madoff |
| Mr. Ferlo      |                 |

And a majority of the votes of Council not being in the affirmative, the appointment was defeated.

**Mr. Lyons:**

Madam President, I know that you said we'd vote on these individually but since they're all City residents, I move that we vote for the three on the Art Commission in one vote.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 504 Resolution that the appointment by the Mayor of Stephen Cohen of 6621 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, be and the same is hereby approved and confirmed as a member of the Art Commission for a term of the Mayor.

Which was read.

Also,

No. 506 Resolution that the appointment by the Mayor of Mark William McCormick, 5850 Centre Avenue, Pittsburgh, Pennsylvania 15201, be and the same is hereby approved and confirmed as a member of the Art Commission for a term to expire at the will of the Mayor.

Which was read.

Also,

No. 547 Resolution that the appointment by the Mayor of Walter Sims, 1614 Broadhead Street, Pittsburgh, Pennsylvania 15208, be and the same is hereby approved and confirmed as a member of the Art Commission for the term of the Mayor.

Which was read.

**The Chair:**

Is there any discussion on the appointments?

And on the question, "Shall the appointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the appointments passed finally.

## REPORTS OF COMMITTEES

**Mr. Pollock presented**

**Bill No. 607**

Report of the Committee on Finance for April 13, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 310**

A Resolution entitled, "Resolution prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh residency requirement for their employees." —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

On the issue of the City residency, I would like my comments brought forward. I'd like to thank those members of Council who supported this in the Committee; I hope they'll carry through on their vote today.

Very clearly, this bill was introduced so that it would have the full weight of law and set an affirmative policy on the part of City government regarding the 700 or 800 employees of our various authorities living and residing in the City of Pittsburgh, not only on the issue of lost revenue, on the issue of fairness to those City employees who must live in the City, but also on the issue of decision making and policy making, that these are individuals who hold important positions at our authorities and they have a stake and

living and contributing to the City of Pittsburgh. Thank you.

(REMARKS ON FOLLOWING PAGE)



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(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 310, WEDNESDAY, APRIL 13, 1988)

Mr. Ferlo:

Since this resolution has been discussed a lot previously, obviously I'm for the residency requirements.

I want to remind Council that if we pass this bill today, we're giving a leadtime of at least three months in order for the authorities to follow suit so there will be not be any infringement upon any kind of current hiring or recruitment that is taking place at the authorities.

I submitted information previous to Council on the lost wages and lost taxes of which it could estimate about \$200,000.00 plus in lost wages; a little over \$200,000.00 in lost taxes. I have also made the comment and concern to Council and to the public that people who work in our authorities should be city residents because they are major policymakers in the City of Pittsburgh. I want the resolution to have the full weight of law in addition to whatever individual acts the authority boards might see fit. So for all those reasons I would ask my colleagues to join me in the resolution.

Mr. DePasquale:

We're saying authority employees must be city residents. I'm thinking about hiring new employees, would this hold up employment?

Mr. Ferlo:

No. This only says that if we pass the legislation from three months from now the legislation will take effect. At that point forward, the authorities must have a residency requirement and at that point forward any future employees hired by the authority must be city residents. It doesn't have anything to do with anybody currently on the payroll or anybody that the authorities would want to hire in the next three-month period.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

Also,

Bill No. 507

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community College of Allegheny County for professional services in connection with the City's Summer Employment Project for Mentally Retarded City residents at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1100 (Index Code 110007) Miscellaneous Services, Department of Personnel and Civil Service."

—(SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 526

A Resolution entitled, "Resolution Repealing Resolution No. 828, Item A, approved September 29, 1986, which authorized the sale of property in the 13th Ward, being a 1-1/2 story, brick house on a 63.61 X avg. 121.55 lot, located at 620 Haverhill Street, designated as Block 175-D, Lot 208, to Ledger Diamond, for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 527

A Resolution entitled, "Resolution amending Resolution No. 446, Item G, approved May 29, 1987, which authorized the sale of property in the 15th Ward, being a 2 story, frame house on a 61.5' X 195' X 62.21' lot, located at 224 Hazelwood Avenue, designated as 56-C-319, to Larry Minnock, for the sum of \$8,500.00."

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Wagner      |
| Mr. Ferlo      | Mr. Woods       |
| Mr. Lyons      | Mrs. Masloff    |
|                | (Pres't)        |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 608

Report of the Committee on Planning, Housing and Development for April 13, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 523

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; providing for the execution of grant contracts and for the filing of other data; providing for required assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account."

Which was read.

Also,

Bill No. 555

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Metropolitan Tenants' Organization, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$2,500.00 and is chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, in the Department of City Planning."

Which was read.

**Michelle Madoff:**

Who is, specifically, the Metropolitan Tenants' Organization? Who are the principles?

**Mr. Lyons:**

Alyse Marsh, they had petitioned and got approval from the Housing Planning on their proposal and no one gave them anything of the ULO money or anything and they're in dire need of money to keep the things that they have amassed and got some donation from in time passed to keep as an emergency that they would have this money. It's a black organization that's in the Hill District and they're in need of our support.

**Michelle Madoff:**

I'm sure they are and I'm sure I'm going to support it but I still didn't get an answer to my question. Are they consultants? Are they experts in the field?

**Mr. Woods:**

Metropolitan Tenants' Organization is all the tenants' organizations in public housing, in the communities. They represent approximately 40,000 people that live in public housing.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Wagner      |

Mr. Ferlo  
Mr. Lyons

Mr. Woods  
Mrs. Masloff  
(Pres't)

AYES 8            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 609

Report of the Committee on General Services for April 13, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 508

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation, payable from Code Account PR 88-03, 4-10-10-1655, Index Code 320812, Fence Repair, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 531

A Resolution entitled, "Resolution Repealing Resolution No. 379, approved May 5, 1986, effective May 8, 1986 entitled: 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, on site delivery and installation of a Firearms Training System for the

Department of Public Safety, Bureau of Administration Training Center and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Michelle Madoff          |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 610

Report of the Committee on Parks and Recreation for April 13, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 554

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Afro-American Heritage Parade Association, Inc. for the

furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$2,000.00 and is chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, in the Department of Parks and Recreation. —  
-(SPONSORED BY MR. LYONS)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Michelle Madoff          |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

**Bill No. 611**

Report of the Committee on Engineering and Construction for April 13, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 512**

A Resolution entitled, "Resolution amending Resolution No. 93, effective February 16, 1987, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering design services in connection with the Renovations to Bloomfield Pool, Recreation Center and Outdoor Recreation; and providing for the payment of the cost thereof,' by providing for the use of existing Agreements."

Which was read.

**Michelle Madoff:**

On Bill No. 512, the more I review what is going on in Construction and Engineering the more I am convinced that it would be appropriate to go back to a point in time where Parks and Recreation had its own engineering people and did its own job. We are now seeing a \$70,000 request for a consultant to renovate, we're not building from scratch, to renovate the Bloomfield Pool and Recreation Center. There are people who would like the job who will do that kind of consulting for us for free. I have talked to people who prefer not to put their jobs in jeopardy, who feel very strongly, as I do, that this is a great abuse of consultants.

I'm in the awkward position of being between a hard place and a rock; I don't want to vote against Bloomfield having a recreation center and the much needed renovations; obviously, we need to go with them. I think there are enough votes here to support it but I'd like to make that a protest vote to show Mr. McDermott, again, that I don't like the way he works with his consultants and his abusive dollars. We're now over \$5 million in the last three or four years that he has been applying the new work.

**Mr. Wagner:**

Madam President and members of Council, I would just like to say Councilwoman Madoff indicated a protest vote. I would hope we would not vote this down. This project is a very important project and I'd like to see it move forward.

**Michelle Madoff:**

I just agreed with you on that and I said that I just want to make the point.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 513

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Sidewalk Ramps for the

Handicapped at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

**Mr. Wagner:**

Madam President, I move to amend Bill No. 513 by adding South Hills area, Carrick and Sheraden Business Districts.

**Mr. Woods** seconded the motion.

**The Chair:**

It seems to me that they haven't located any specific place and I would think that that's included in here because it doesn't specifically exclude them in the bill.

**Mr. Wagner:**

If I may explain, Madam President. In the bills that were before us last Wednesday, they indicated five specific locations in the City. These two locations also need this same type of work and for that reason I am adding it to this bill now. I thought this final bill would read exactly the same as our bill that showed up last Wednesday; it doesn't.

**The Chair:**

Alright.

WHICH MOTION PREVAILED.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 548

A Resolution entitled, "Resolution further amending Resolution No. 631, effective July 17, 1985, as amended by Resolution No. 299, effective April 6, 1987, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Consulting Services in connection with Construction Inspection on an 'As-Needed' Basis; and providing for the payment of the cost thereof,' by amending the title to name S.A.I. as the Consultant and by increasing the total project allocation by \$121,700.00 from \$285,000.00 to \$406,000.00."

Which was read.

**Michelle Madoff:**

On Bill 548, I am really appalled that Council allowed themselves to be shafted again. We are giving up our rights repeatedly to Mr. McDermott and company to do as they want, when they want to; they never have to come back to talk to us. We've increased the dollars from \$285,000 to \$406,000, that's a half million dollars practically, so that Mr.

McDermott can go out and do inspections as needed without having to come to this Council for money. If you sit down with him he'll give you the reasons of how we'll save money because he can get to people in a hurry. Mr. McDermott would save us a lot of money if he did what he had to do. For example, on McArdle Roadway and Grandview Avenue, if he did all his work at one time and not stretch it over seven years and have to start all over again when he admits that he knew there was deterioration going on. Mr. McDermott would have saved us a million dollars if he had put his bid out on Phase II earlier.

I think it's unconscionable that we don't even ask the questions and don't do a post agenda to ask Mr. McDermott how many of his people are licensed and qualified and have taken the examination that qualifies them to do construction inspection when most of his people have those tests and have passed those tests, yet we have companies being hired, people are going out for inspection for the City who have not passed these qualifying tests.

I think it's a disgrace. I think that this is going to catch up with the City and certainly with Mr. McDermott and I'm going to help it along and I'm going to vote no on 512 and 548. I hope everybody else will vote yes on 548 so I don't have to change my vote; it's a protest vote on consultants.

**Mr. Ferlo:**

On Bill No. 548 to greatly increase the amount of inspectors, an increased allocation of over \$121,700, I spoke about this in the Committee Meeting, I obviously voiced my opposition. I think this bill borders on not only fiscal irresponsibility but fiscal criminality. I find it outrageous that as we approach April, into the fourth month of the fiscal

year, and we received information today from our budget staff, as we review it from Engineering and Construction, on the number of vacancies and unfilled job slots in various departments throughout the City, we have some 12 positions that have yet to be filled in the Department of Engineering and Construction, of which that represents \$309,000 in personnel wages. But of that, I think interestingly, in regards to this legislation, over \$100,000 of that money that this City Council, the previous Council, budgeted for Engineering and Construction, they budgeted some \$100,000 in additional staff to be inspectors. Mr. McDermott has yet to fill an Inspector 3 position, he has yet to fill two vacancies that he refers to here as Inspector 1, and there's at least several other staff people on this list of unfilled budgeted staff positions in Engineering and Construction that directly or indirectly have to do with the inspection of jobs.

We received one minute before the vote last Wednesday from Mr. Reginella a list of projects that the staff, the inspectors, were supposedly working on and have to be there full-time. Again, I don't pretend to know a lot about Construction and Engineering but I cannot believe that it takes a full-time inspector all eight hours of every day for a quarterly period to sit in the Mayor's Service Center during the reconstruction of that facility. The list that was submitted by Mr. Reginella abounds with those types of examples where it's clear that we're being snowballed. It's clear that you do not need a full-time inspector to be at some of those jobs that are being done and being coordinated out of Engineering and Construction.

Again, I think this is another plum to an outside consultant, Salvucci and Associates, who unquestionably are

competent and excellent consultants. However, I think this is an outrageous amount of money, close to half a million dollars; it's not needed and I suggest that before Council would even entertain approving additional consultants, I would suggest that we demand that the Administration fill the budgeted positions that the previous Council has already awarded them, some \$309,000 worth of employees. Long before this bill should ever be considered by Council, the Administration should fill the budgeted positions that they have on board, and in particular, the three or four inspectors that we've budgeted. I think it's irresponsible for Council to even vote on this bill now before that takes place and I'm voting very clearly in opposition to Bill No. 548.

**Mr. DePasquale:**

In contrast to Mr. Ferlo, I thought that the answers that Mr. Reginella gave were quite obvious and put into perspective that we do not have the inspectors available for these jobs and that we have several jobs going on, or will be going on, over a period of years.

We must remember too that the Water Authority, and most of this work is going to be on waterlines, the Water Authority had a couple of bond issues and I think a total of a couple hundred million dollars and almost a hundred million of that, I believe, is going into construction. Therefore, there's going to be several jobs on board. I've got a list of all the jobs; I don't know if all the other Councilmembers did, and therefore, we can't possibly have enough inspectors in-house to do these jobs or be on these jobs.

**The Chair:**

Is there any further discussion on the bill?



And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
| Mr. Pollock    | (Pres't)     |

AYES 7 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Woods:**

Madam President, I make the motion to reconsider Bill No. 503, the appointment of Anna Marie Guzman on the Board of Code Review.

**Mr. Wagner** seconded the motion.

**The Chair:**

Reconsider it, did you say?

**Mr. Woods:**

Yes, bring it back up for a vote again.

I'd like to discuss my motion, if I may. We all interviewed Ms. Guzman when she was here. As Mr. Pollock and Mr. Wagner stated, she's eminently qualified. She lived in the City, I believe, most of her life and she stated that eight or nine years ago she got

married and she moved outside of the City with her husband, I believe to North Hills. He's a professional man, she's a professional woman. But, she still works here in the City and I think to have a person of her caliber, especially to come before the interview, she was interviewed extensively two weeks ago, I think that Council would do nothing but benefit itself by reconsidering this vote in favor of this lady.

**Mr. Pollock:**

I think it should also be noted that this past Sunday or the Sunday before in the Pittsburgh Press, ironically there was an article about Anna Marie Guzman as being one of the finest architects around. It just so happened it was an article about women architects and she, obviously, is one of them. And I think that our City would be well served by having her do voluntary service at no fee, as a public service. If she's willing to come in and do it, this Council is looking like a bunch of fools if it doesn't accept the services of a woman who is eminently qualified, who wants to donate her time and energy to this City with no private gain. It's ludicrous to say that she should not be serving.

**Michelle Madoff:**

Madam President, I have a very close friend by the name of Marcia Berger who is an architect and I think an outstanding architect and she lives in the City. I don't know whether she's been asked to serve on this Commission or whether she would be interested, but I'm sure there are a lot of very well qualified female architects in the City who should be given the opportunity.

**Mr. Ferlo:**

I don't disagree at all with the comments of Mr. Pollock; in fact, this

individual, certainly, is very qualified and she certainly has made a contribution in the past. But that's not really the principle issue that myself and others on Council have attempted to raise. And I resent the intonation that somehow in opposition to this we are doing a disservice or acting like a bunch of fools; in fact, we are supporting a very important principle.

I would like clarification, Madam President, from the Parliamentarian on the issue of reconsideration since the vote has already taken place.

**The Chair:**

Parliamentarian, may we reconsider this particular appointment today?

**Parliamentarian:**

Council cannot reconsider.

**Mr. Ferloc:**

Thank you, Madam President.

**Mr. Pollock:**

Madam President, I move to suspend Council rules so that Mr. Woods could make a motion to reconsider her appointment.

**Mr. Wagner** seconded the motion.

**Mr. Coyne:**

Discussion. Madam President, it seems ludicrous if we're going to be amending Council rules every time it suits someone's fancy. We've had some private discussions among Council about the procedure we were going to use for Read and Adopted resolutions and I think once a rule is made it is made to be stuck to, not to be changed for

convenience. We do have a Rules Committee right now which you're working on, and that's the time to amend the Rules of Council. It's ridiculous to sit here and change the rules whenever Council chooses to do so.

**Mr. Woods:**

Madam President, I'd just like to state one thing. We've done this in the past; we've reconsidered our votes in the past. I've served on Council for seven years and we've done it every year since I've been here, we've reconsidered our votes. Members have come in and voted 20 bills later. We've done it here many, many times and all I'm asking is that we do it again until Council rules are straightened out.

**Mr. Wagner:**

Madam President and members of Council, I believe the motion by Mr. Woods and Mr. Pollock is justified in this situation. I think if we move forward from this point and we do not approve this one individual, and if you look, there were three people that were not approved but there's only one that cannot be brought back up in front of Council and it's this one appointment. I believe the efforts here to have Council reconsider are justified in this one situation. The other two, I don't believe there will be any motions.

In addition to that, I know we've talked about people living in the City, people working in the City. A half a loaf is better than nothing. We all attempted to get a full loaf; we only got half of a loaf and it's better than no loaf at all, meaning, when it comes to economics in the City, if a person cannot live here, if they work here or if they locate their business here, that means a whole lot to this City. And this person has done that. They want to offer their services

free, and I believe we should welcome that individual into the Board of Code Review.

**Mr. Woods:**

One last comment. I believe that this Council, by initially tabling two people and turning this one down initially, we sent the message to the Administration and two other people that from now on bring us people that live in the City. I think the message has been sent and now I'm asking Council — When these individuals came here, there were appointees in the past that did not live in the City; there are appointees now that sit on different commissions and boards that do not live in the City. I don't believe that we should embarrass these people by turning them down. I think we have sent the message to the Administration; from this point on, give us City residents when at all possible and if not, explain why not. But please, ladies and gentlemen, let's vote in the affirmative for this individual.

**Mr. Ferlo:**

I'd like to reiterate the point that this is a new Council. I was not permitted, obviously, since I was not here to vote previously on the appointments of other people who currently do sit on the boards, the commissions and authorities. But when there are new appointments coming up, I'm going to use that as an opportunity to uphold that very important principle which I've talked about. So, again, I hope that we do not vote to suspend the rules on this issue and I just want to close by saying that I reiterate that it's not in any disrespect to the individuals that have already served; obviously they're very well qualified. I again make the point that there are representative of labor, there are representatives of neighborhood groups, there are a

multitude of City architects that I'm sure would enjoy the opportunity to sit on this board or commission and I disagree entirely with the logic.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                          |
|----------------|--------------------------|
| Mr. DePasquale | Mr. Wagner               |
| Mr. Lyons      | Mr. Woods                |
| Mr. Pollock    | Mrs. Masloff<br>(Pres't) |

**AYES 6**

**NOES 2**

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Woods:**

Now, Madam President, I'd like to make a motion to reconsider Anna Marie Guzman.

**Mr. Pollock** seconded the motion.

**Mr. DePasquale:**

Madam President, if I may, prior to my vote. I made a statement a while ago that I have been consistent, I vote against all non-residents of the City of Pittsburgh. I do respect the pleas of my colleagues and I didn't know the background of this young lady, that she did live in the City up until recently

when she got married, and I didn't realize that she would be such a good addition to that Board. So, I'm going to go back on my former comment and I'm going to vote aye.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. DePasquale | Mr. Wagner   |
| Mr. Lyons      | Mr. Woods    |
| Mr. Pollock    | Mrs. Masloff |
|                | (Pres't)     |

AYES 6                      NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Ferlo:**

Madam President, I'd like to make a motion to conduct a public hearing concerning the Conditional Use Application, No. 540, the Allegheny County Medical Society Expansion. It's clear that a large number of people in the medical profession, those who are part of the medical society, are obviously in support of this but I know that there are a number of citizens who are opposed to it and I frankly would like to hear all sides of the story before I vote on this legislation. It's my understanding that unlike other decisions from the Planning Commission that

require an automatic public hearing, this is not the case with this bill and I'd like to make a motion that we at least have a public hearing and afford them an opportunity, both sides, to appear before Council.

I would remind Council that a petition will be submitted anyway so what's the big deal.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

**Mr. Lyons:**

Madam President, there was supposed to be a petition in from Carole Malakoff for a public hearing. Has it reached your office or the City Clerk?

**Mr. Perry:**

No, it has not.

**Mr. Lyons:**

Okay.

And on the motion of **Mr. Woods**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, April 25, 1988

No. 17

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, April 25, 1988

#### PRESENT:

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Before we begin this meeting, I want to announce with a great deal of pleasure the presence here today of one of our former colleagues and a dear friend, Amy Ballinger.

Amy, come on up and say hello to

us, but keep it clean.

Ms. Ballinger:

Gosh, it's great to be back but unfortunately I buried my last sister this morning; that's what brought me to Pittsburgh.

But I'm having a great time in Florida. I don't know how I became a comedienne because you all know I never made fun of anything in City Council, did I? I can only remember the time when Mayor Flaherty and your present Mayor Caliguiri were running for office and I was campaigning for him and all I could say was, "Do you want Dick in and Peter out or do you want Peter in and Dick out?" You could have either one. It went over big and the result is that Mayor Caliguiri was elected at that time and I understand he's still the Mayor and I'm anxious to see him.

Of course, I always tell him I'm so old, I'm old enough to be condemned. I happen to go with a man 20 years younger than myself in Florida and they all say to me, "Amy, why don't you go with somebody your own age?" I say, "I can't find them; they're dead." They put a glass of water in front of me and I put my teeth in it. I think Happy Hour is a nap.

Mayor Caliguiri:

Dick is here.

**The Chair:**

She was just talking about you.

**Ms. Ballinger:**

But anyway, if you ever get to Florida, come to see me and I'll tell you where I'm appearing. I don't get paid as well as I did in City Council but I'm living.

I know a guy last night that said, "I'm yours for the asking"; I said, "I'm asking \$250". He said, "How do you want it." I said, "Wrapped in a fur coat."

Anyway, it's great to be here and thank you for the introduction. Nice to see you all. Thank you.

**PRESENTATIONS**

**Michelle Madoff:**

Would Mr. James Harper please step forward?

Ladies and gentlemen, Madam President and members of City Council, the resolution here today I'm going to present to Mr. James Harper who taught at Connelley and retired in 1966. He's 85 years young. Let me read the resolution and we can hear from him.

**Michelle Madoff presents**

No. 659 WHEREAS, after 58 years of providing educational and technical programs to Pittsburgh residents, Connelley Vocational Trade School may soon close their doors; and

WHEREAS, the Pittsburgh Public School Board, currently divided on the subject, is pending a decision on whether or not to keep the school open; and

WHEREAS, Connelley Vocational Trade School was built in 1930 as a vocational high school and became an adult education center in 1971, and currently offers 27 various vocational programs in addition to courses in areas such as literacy and basic education for adults; and

WHEREAS, Connelley provides low-cost, public vocational education for poor, lower economic people and minorities who otherwise could not afford to attend similar educational facilities, and Connelley is very sensitive to the labor market, offering courses based on the availability of jobs, and many programs at Connelley have almost a 100% placement after completion; and

WHEREAS, this system of low-cost, public education for job-needy students makes eminent good sense, and the benefits given back to the City of Pittsburgh are invaluable.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Pittsburgh Public School Board to keep the doors of the Connelley Vocational Trade School open; and

BE IT FURTHER RESOLVED that this Council offers its assistance in seeking state and federal funds to keep this institution alive in Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I didn't arrive in Pittsburgh until '61, and I guess that's getting on a little bit, but I have met so many people who

are very successful in our community and would not have had the opportunity to have careers had they not been students of Connelley. I want to thank Mr. Harper who was a teacher; as I said, he resigned in 1966, and thank him very much for taking the time to come today and receive this resolution.

**Mr. Harper:**

When I taught at Connelley it was acknowledged to be one of the best trade schools in the country, not only the state of Pennsylvania but in the country. We had over 1,100 boys; 10 percent to 12 percent of those boys made co-op. That meant that their work in the school was sufficiently good that they were selected to take jobs part-time in industry within the City. We had a coordinator who traveled from business to business and placed boys that were ready to be placed. And I'm sure if we could get a consensus from the co-op graduates from Connelley in the City of Pittsburgh today, they would greatly be sad to think that Connelley might close. I see no reason to close it.

Someone on the School Board of Pittsburgh made the statement that they would not raise taxes. I submit to this body and any other body that's listening, you don't go on a school board to cut taxes; you go on a school board to say that the taxes are well spent in educating our youth which is the biggest asset we have in the nation. If this body can help to persuade the Pittsburgh School Board to keep that facility open, I'll take off my hat.

**Mr. Ferlo:**

I just wanted to thank Michelle for introducing this resolution today, especially because this will be the week that the School Board votes on this question. Obviously, Council these last

two weeks alone has voiced its opposition to the closing of Connelley and I urge everyone in the listening audience to please call and lobby your respective School Board member before the vote this week.

I agree with you, sir, and I think it's outrageous that the School Board would close this facility without even having made the attempt to approach, whether it be the state or the private industry council, this City Council, private foundation, or as you have suggested, the Alumnus. It's irresponsible and I would please urge Pittsburghers to lobby their School Board members this week.

**Mr. Harper:**

I might add one thing. I am not really familiar with the program at Connelley today. It's called a Skill Center; it has adults. When I taught there, the students were all high school students. So, I'm not real familiar with that program. But the point is, there's a big investment in that building; it has elevator service that stops at 11 floors, it has a big swimming pool, a big gymnasium, it used to have 21 shops. And I see no reason to close it. Thank you.

**Michelle Madoff:**

May I suggest that this body send a letter or a telegram immediately again reinforcing the sentiments of Mr. Harper and this Council, urging them to please not close down and that we will do what we can to help.

I want to point out, Mr. O'Malley is not with us any longer on this Council, but Mr. Ben Woods and Mr. O'Malley were responsible in sponsoring programs to help in the literacy program, to help those who are unemployed, and the turn-around of the programs and the

unemployed in this City. I think that that's the kind of leadership and the kind of investment this City has got to make, keeping Connelley open, helping with literacy programs, and if we can help in that way, we'll have done a great deal of good for the community.

**The Chair:**

To accept the next resolution, Barbara King, Dave Farley, Jim Brenner, Barbara Brown, Patsy Petzosky and Canice Dolan and Robert Foltz, would you please come forward to accept the resolution. Thank you all for coming.

**The Chair presents**

No. 660 WHEREAS, Pittsburgh Partnership recognizes the contributions older workers make to the Pittsburgh community; and

WHEREAS, Pittsburgh Partnership also recognizes Pittsburgh organizations who hire older workers of age 55 and up; and

WHEREAS, each year the Pennsylvania Hall of Fame of Champions of Older Workers Council selects organizations who have shown special and noteworthy efforts to recruit and hire older workers; and

WHEREAS, Pittsburgh Partnership nominated Goodwill Industries of Pittsburgh and Sears Roebuck Company to the Hall of Fame Council; and

WHEREAS, Goodwill Industries of Pittsburgh was selected as the State Champion in the service category.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh proudly commend the efforts of the various industries who hire older workers,

recognizing these workers as a valuable asset, and we further extend our sincere congratulations to the Goodwill Industries of Pittsburgh for receiving a State Service Award; and

BE IT FURTHER RESOLVED, that the Mayor and the Council hereby proclaim Tuesday, April 26, 1988 as OLDER WORKER RECOGNITION DAY in the City of Pittsburgh.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Ms. Dolan:**

I would just like to say on behalf of Goodwill Industries that we won the program, it's a placement program for the older worker. The program is less than two years old and has just been a booming success. We always have people knocking at our doors, we have a long waiting list, and we have placed almost 90 people in jobs in that period of time.

So, I'm really very grateful, particularly to Dave Farley whose idea the program was for permitting us to do this. And the older workers have just been a great contribution to Goodwill Industries in terms of our handicapped clients and the way they have been real work models for them. I thank you.

**Mr. Farley:**

I'd just like to echo Canice's comments. If it weren't for Goodwill Industries we wouldn't have a program. It's been a real source of pride to all of us in the Pittsburgh Partnership. If any of you know ways to shake loose more money for older workers, my extension is 2696. Thank you.



**Mr. Wagner:**

Madam President, the next resolution is recognizing the distinguished and dedicated service of 37 police officers who will retire in 1988. I would like to ask the following people to please step forward for this resolution: Mr. Patrick McNamara, President of the F.O.P.; Warren Broz, Vice-President of the F.O.P.; John McMahon, Public Relations Officer of the F.O.P.; and two of the 37 retirees and they are Emil Kranjec and Warren McGuire. Gentlemen, please step forward.

**Mr. Wagner presents**

No. 661 WHEREAS, on Wednesday, the 27th of April, 1988, the Fraternal Order of Police, Fort Pitt Lodge No. 1 and the Pittsburgh Bureau of Police will honor thirty-seven (37) individuals who will retire from the City Police Force this year; and

WHEREAS, these officers have served bravely throughout their careers by maintaining the safety of our City, by recognizing that the life and liberty of its citizens is the primary area of responsibility; and

WHEREAS, the thirty-seven (37) retirees being honored have 1,050 years combined service, and on each day of that service, risked their lives to protect our property and the security of our lives; and

WHEREAS, Pittsburgh's rating as "America's Most Livable City" was due in part to the low crime rate as compared to other major cities and the officers of the Pittsburgh Police Bureau and the citizens of this City share responsibility for that great achievement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the

Members of the Council of the City of Pittsburgh join with the citizens of Pittsburgh in recognizing and saluting each and every one of the thirty-seven (37) honorees for their distinguished service and sincere dedication.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Members of Council, ladies and gentlemen, first of all I'd like to say to Pat McNamara, welcome back. Pat just had a serious illness and he's looking great and we're glad to see him back here. In addition to seeing all of you here, and Pat's going to say a few words and the two retirees are also, I'd like to say that as a representative of City Council and Chairman of Public Safety, I also salute all those 37 honorees and all of the dedication that all of you as officers and all of the 37, of which we have two of them here, we can't say enough and we can't thank you enough.

Patrick, please say a few words.

**Mr. McNamara:**

Thank you Council President Sophie, Councilman Wagner and fellow elected Councilpeople. It certainly is a great honor, privilege and personally a great feeling to be here today to accept this resolution on behalf of the 37 police officers who we will honor this coming Wednesday at the Syria Mosque in Oakland.

As you know, it's a great honor to be a police officer and the people retiring have taken upon that honor and served the citizens of this City of

Pittsburgh well. It also is a great privilege and it's a great privilege that you invited us here today to accept this resolution. I've also said to you that it's a great feeling. I did have a very serious illness; I have conquered it, I hope, and I'm doing very well. But during the period while I was in the hospital, and the last three months that I have not worked, it was very sad to see the battles of 911 continue in the City. There's a tremendous amount of reprimands being given out to police officers for doing their jobs in the City, chasing stolen cars, making arrests, because someone didn't like the way it was done. We have an officer that was just taken down for a breathalyzer - it was a total violation of his rights; he never drank in his life - by some civilian personnel leader. We have a fire officer who has just been Trial Boarded twice from the Troy Hill area for letting newpeople into that firehouse to take pictures.

The reason I'm raising those, this past year we got a two year war and I went to several people and asked them not to retire. This year we only have 37; last year it was 70 and the year before it was 80. I'm asking them to stay on. But we cannot let people in City government do what they've been doing in the past three months in the Department of Public Safety, issuing reprimands, Trial Boarding fire officers because they let the news media in the firehouse, running police officers down for a breathalyzer when they were on duty and the reading was zero-zero. We're going to take those battles up and I'm going to ask Council to give me a public hearing so we can stop this so we don't have more retirees. And I'll be asking for you to help me in that matter.

Today, in your presenting this resolution, I've asked two of the police officers that are retiring, Lieutenant

Emil Kranjec who has 36 years of service to the City of Pittsburgh and Detective Warren McGuire who also has 36 years, to come forward and say a few words to you about their service in the City. I'm sure they don't want to say too much; they're very proud of what they've done in this City, and they deserve a nice hand. I would ask them to come forward and say a few words.

**Detective McGuire:**

On behalf of the retirees, I'd like to thank the members of Council for honoring us with these resolutions. Thank you very much.

**Lieutenant Kranjec:**

Ladies and gentlemen, members of Council, it's an appreciative thing for someone to think of you at the end of your career. I have 37 years. 37 seems to be the lucky number; 37 retirees, 37 years. I've had good years. I've come up with a lot of the people; some of the people are still here on Council that I've had a lot of dealings with.

I've appreciated this City. I still live in the City and intend to stay in the City. It's a pleasure to be here and having you thank me, I'd like to thank you.

**Mr. McNamara:**

Once again, I hope you all can show up at the Syria Mosque on Wednesday night at 7:00. The ceremonies will take place at 8:00 and everybody is invited. Thank you very much for your time.

**The Chair:**

Will Gloria Novak please come forward to accept this next resolution?

**Mr. Woods presents**

No. 662 WHEREAS, the Northside Leadership Conference is sponsoring their fifth Annual "A Celebration of the Northside Awards Dinner" on Friday, April 29, 1988 at the Holy Trinity Greek Orthodox Church; and

WHEREAS, this annual banquet brings together the thirteen neighborhoods active in the Conference to celebrate their accomplishments, achievements, and cooperation toward the betterment of the Northside; and

WHEREAS, the theme of this year's dinner is "The Future is Now" and this theme exemplifies the many dreams which have become realities; and

WHEREAS, the Conference banquet will honor individuals from the thirteen different neighborhoods who have made outstanding contributions to his/her neighborhood, as well as a Northside Man and Woman of the Year; and

WHEREAS, these men and women have worked harmoniously for the betterment of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED; that the Council of the City of Pittsburgh hereby proclaims the week of April 24 through April 30, 1988 as "A Celebration of the Northside" week in the City of Pittsburgh in honor of the special contributions and cooperative work of the North Side Leadership Conference.

Mr. Woods moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Mr. Woods:**

Thank you Madam President and members of Council. Before I ask Gloria to say a few words, I'd like to say that I grew up in the North Side my entire life, my family is still there, my parents grew up there. I remember the good times when North Side was one of the great neighborhoods in the City of Pittsburgh, all of North Side. And I remember in the name of I guess progress, when it was destroyed, East Street, Manchester, many of the other neighborhoods, and now it's coming back. If it wasn't for these 13 neighborhood groups and the parent group, the North Side Leadership Conference, it would not be the part of the City it is today. We owe a lot of gratitude to the North Side Leadership Conference.

**Ms. Novak:**

I just would like to thank everybody for this resolution and let you know that we are working very hard on the North Side to bring it back. We're alive and well and you're all invited to the dinner this Friday, April 29th.

So, thank you again for the resolution and for all your help and support in the past. Thank you.

**The Chair:**

Is there a member of the Pittsburgh Transplant Foundation here? Mary Anne Harámic Would you come forward please?

**Members of Council present**

No. 663 WHEREAS, this week has been designated as National Organ and Tissue Donor Awareness Week; and

WHEREAS, The Pittsburgh Transplant Foundation is also observing

their tenth Anniversary this week; and

WHEREAS, The Pittsburgh Transplant Foundation plans a full week of activities to promote organ and tissue donation; and

WHEREAS, they are requesting the support of every individual in this nationwide effort to ensure the continuation of this worthwhile life saving endeavor.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby declare the week of April 24 through April 30, 1988, as NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK in the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Ms. Harnic

I'm honored to accept this on behalf of the Pittsburgh Transplant Foundation and all of those who have been involved in making people aware of donating organs and tissues for those waiting for transplantation. Thank you.

Mr. DePasquale presented

No. 616 Resolution providing for the issuance of a warrant in favor of Carnegie Institute in the amount of \$2,663.04 covering the final payment for the Renovations to the Founders Room and Continuing Education Office, chargeable to and payable from Code Account EC 87-45.

Which was read and referred to the Committee on Finance.

Also,

No. 617 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Zoo Rehabilitation, including but not limited to walks and landscaping at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account EC 88-31.

Also,

No. 618 Resolution providing for a Contract or Contracts, or use of existing Contracts for Correction of Noise Transmission Problems at the South Side Market House at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 88-37.

Also,

No. 619 Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to the Grandview Avenue Overlooks at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 88-33.

Also,

No. 620 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Playgrounds and Parks, including but not limited to Gardner, Frick Park and Lincoln Place at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 88-40.

Also,

No. 621 Resolution providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Rehabilitation to the Aviary at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 88-34.

Also,

No. 622 Resolution providing for a Contract or Contracts, or use of existing Contracts for Lighting and Electrical Renovations at Various Ballfields, including but not limited to Arlington Field at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 88-50.

Also,

No. 623 Resolution providing for an Agreement or Agreements or existing Agreement or Agreements with a Consultant or Consultants for Architectural Services in connection with the Rehabilitation of Ream Pool at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account EC 86-41.

Also,

No. 624 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of the Grandview Bandstand at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-56.

Also,

No. 625 Resolution providing for a Contract or Contracts, or use of existing Contracts for Major Court Rehabilitation, including but not limited to Mellon Park at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 88-41.

Also,

No. 626 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Ballfields, including but not limited to Frick Park and Martin Luther King at a cost not to exceed \$60,000.00,

chargeable to and payable from Code Account EC 88-39.

Also,

No. 627 Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of an Accessible Nature Trail and Trails Rehabilitation at a cost not to exceed \$260,981.69.

Also,

No. 628 Resolution providing for a Contract or Contracts, or use of existing Contracts for Major Repairs and Emergencies, including but not limited to Brookline Pool and South Side Riverfront Park at a cost not to exceed \$78,020.00, chargeable to and payable from Code Account EC 88-47.

Also,

No. 629 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Miscellaneous Renovations to the Pittsburgh Aqua Zoo at a cost not to exceed \$116,536.00, chargeable to and payable from Code Account EC 88-30-\$112,000.00 and Code Account FNZ Trust Fund-\$4,536.00.

Also,

No. 630 Resolution providing for an Agreement or Agreements with Pittsburgh International Engineering to provide all necessary Engineering Design Services for the incorporation of ventilation, heating, air-conditioning and a fire suppression system at the Department of Public Works' Traffic Division Building located in the Strip District at a cost not to exceed \$17,000.00, chargeable to and payable from Code Account LB 84-14.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Lyons presented**

No. 631 Resolution providing for the issuance of a warrant in favor of A & H Equipment Company to cover the cost of materials for manufacturing and installing neighborhood street signs, in the amount of \$7,191.73, chargeable to and payable from the Neighborhood Street Sign Program, CP 86-09.

Which was read and referred to the Committee on Finance.

Also,

No. 632 Resolution amending Resolution No. 1041, effective December 22, 1987, entitled: "Providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing Contracts to manufacture, supply, install and provide other services related to purchasing and installing new street signs," by increasing the project allocation an additional \$1,500,000.00 from \$290,000.00 to \$1,790,000.00.

Also,

No. 633 Resolution further amending Resolution No. 1094, effective January 1, 1988 as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing a line item and by adjusting the Summary Totals. This amendment increases CP 88-10 Neighborhood Street Sign Program by \$1,300,000.00. This increase will allow for street signs to be installed on a City-wide basis over the next year rather than staged over several signs.

Also,

No. 634 Resolution amending Resolution No. 1094, approved December 30, 1987, effective January 1, 1988, entitled: "Adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by changing one code account, and adding two code accounts that were previously omitted.

Also,

No. 635 Resolution approving a Conditional Use Exception under Section 993.01(a)A-9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to Carnegie-Mellon University to construct a three (3) level 636 stall parking garage; two (2) dormitories with shared dining facilities; a new football field; and improvements to the existing softball field on property having frontage on FORBES AVENUE and MARGARET MORRISON STREET, 14th Ward.

Also,

No. 636 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16, by changing: From "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: MADONNA STREET; FRANKSTOWN AVENUE; Lot No. 13, Block 231-G in the Allegheny County Lot and Block System; BRICELYN STREET and EYMARD STREET, 13th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 637 Resolution transferring the sum of \$49,500.00 from Code Account 10 Accounts Payable Prior Years to Code Account 1103 the amount of \$42,500.00; Code Account 1100 the amount of \$5,000.00; and Code Account 1838 the amount of \$2,000.00.

—(SPONSORED BY MR. POLLOCK)

Also,

No. 638 Resolution providing for the conveyance of certain property in the 16th Ward, City of Pittsburgh, designated as Block and Lot 13-C-258 to Ronald J. Hays for the sum of \$300.00.

Also,

No. 639 Resolution providing for the conveyance of certain property in the Borough of Sharpsburg, designated as Block 169J, Lots 73-108, to Daniel J. McGreevy for the sum of \$750.00.

Also,

No. 640 Resolution providing for an Agreement or Agreements with an independent accounting firm to perform the annual audit for the City of Pittsburgh for a period of three years, for the years ending December 31, 1988, 1989, and 1990, at a total cost not to exceed \$200,000.00 per year, subject to annual appropriations, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Also,

No. 641 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Walter Fortson to attend the Pennsylvania Department of Labor and Industry Joint Jobs Initiative Session, in

Harrisburg, Pennsylvania, April 27, 1988, at a cost not to exceed \$286.65, payable from the JTPA-1 Trust Fund, federal funds. (PRIOR APPROVAL GRANTED)

Also,

No. 642 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Maureen Carr and Roseann Nichol to attend the Pennsylvania Department of Labor and Industry Joint Jobs Initiative Session, in Harrisburg, Pennsylvania, April 21, 1988, at a cost not to exceed \$612.83, payable from the JTPA-1 Trust Fund, federal funds. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 643 An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands.  
—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 644 Resolution providing for an Agreement or Agreements with the

Chemical People Institute/Duquesne University for Professional Services in connection with their Alcohol and Drug Prevention and Education Program at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1401, Miscellaneous Services, Department of Public Safety. —(SPONSORED BY MR. WAGNER)

Also,

No. 645 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Commander Therese Rocco and Detective Janet Morrissey, Bureau of Police, to attend a Public/Private Partnership Conference in Greensburg, Pennsylvania, April 22, 1988, at no cost to the City of Pittsburgh. Permission is also requested for use of a City vehicle. Commander Rocco will serve on a panel on Juvenile Justice in Pennsylvania as an instructor and Detective Morrissey will attend this conference due to the nature of her job.

Also,

No. 646 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief/Ambulance Douglas Garretson, Bureau of Emergency Medical Services to attend an advanced exercise drill of the National Disaster Medical System at the Federal Coordination Center in the VA Medical Center, in Portland Oregon, April 21-24, 1988, at no cost to the City of Pittsburgh. Pittsburgh EMS will be integrally involved in coordinating activities and transporting patients, both in this drill and in an actual emergency. By viewing the interaction of Portland's Public Safety Services with NMDS, Pittsburgh can gain valuable insight into how we can better serve and benefit from the NMDS program. (PRIOR APPROVAL GRANTED)

Also,

No. 647 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief/Rescue Robert Full, Bureau of Emergency Medical Services and Fire Battalion Chief Robert Conley, Bureau of Fire to attend a "Tank Car Safety Course" at the Hazardous Material Training Association of American Railroads Transportation Test Center, Pueblo, Colorado, May 22-28, 1988, at no cost to the City of Pittsburgh. Asst. Chief Full and Fire Battalion Chief Conley deal with hazardous materials. This training will greatly enhance the City of Pittsburgh's ability to effectively respond to railroad emergencies now and in the future.

Which were severally read and referred to the Committee on Public Safety.

Mr. Woods presented

No. 648 Resolution providing for the issuance of a warrant in favor of Romar Pennsylvania Marketing, Inc., in the amount of \$530.25 in payment for an idler shaft, gaskets and bearings needed to repair the heatec heater being used at the Asphalt Plant, chargeable to and payable from Code Account 1610, Miscellaneous Services.

Also,

No. 649 Resolution transferring the sum of \$96,000.00 from Code Account No. 1175, Equipment, Department of Environmental Services to Code Account No. 1176, Miscellaneous Services, Department of Environmental Services. The transfer is necessary to cover the costs for the refurbishing of our 3 and 1-1/2 cubic yard containers, and fence construction around our 30th Street parking area.



Which were read and referred to the Committee on Finance.

Also,

No. 650 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Sam Tiglio to attend an all wheel drive vehicle demonstration in White Plains, NY from April 13-14, 1988, at a cost not to exceed \$500.00, payable from Code Account No. 1502, Miscellaneous Services. Viewing these all wheel drive vehicles will keep us current with the most advanced technology which could be applied to this Department's daily operations. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Works.

The Chair presented

No. 651 Resolution providing for an Agreement or Agreements with the Ernest T. Williams, Jr. Memorial Center for professional services in connection with the East End Raiders Football Program for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,300.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.  
—(SPONSORED BY MRS. MASLOFF)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 652 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, informing Council of the appointment of James Turner, as a member of the City of Pittsburgh Equipment Leasing Authority for an unexpired term to expire June, 1988.

Also,

No. 653 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of February 29, 1988.

Which were read, received and filed.

#### UNFINISHED BUSINESS

Mr. Lyons:

Madam President, I move that we bring the matter relating to Mr. Noonan, that we lift that from the table. I so move.

Mr. Woods seconded the motion.

Mr. Ferlo:

Point of procedure. How many votes does it take to untangle a resolution?

Mr. Woods:

Five.

Mr. Ferlo:

Parliamentarian?

Parliamentarian:

Five.

Mr. Ferlo:

Thank you.

WHICH MOTION PREVAILED.

The Chair presents

Bill No. 495 Resolution that the

appointment by the Mayor of John Noonan, 815 Woodbourne Avenue, Pittsburgh, Pennsylvania 15226, is hereby appointed and confirmed as a member of the Board of Adjustment for a term to expire April, 1991.

Which was read.

**Mr. Lyons** moved to approve the appointment.

**Mr. Woods** seconded the motion.

**Mr. Pollock:**

Discussion on the motion. Right now the Zoning Board of Adjustment is serving with two individuals. Recently they've had several cases where one of the two individuals sitting there was forced to abstain which left one individual to decide the matters. The City Code does not permit one member of the Zoning Board to make a decision; there has to be at least two which means that several projects now are completely on hold until there is a third member appointed, a second member able to vote. For Council to continue to play chicken or games with the Mayor is really holding up progress of the City, holding up development, and holding up some very important projects.

This Council does not appoint members to the Zoning Board; it only acts on nominations. I know Mr. Ed Walkowski; I know him to be a fine gentleman and a very nice man. But this Council can vote no on any appointment it wants and its never going to get the name Ed Walkowski put in front of it and I think that all of this Council should recognize that fact. To stop progress and to hold up developments in this City is really being shortsited and against the interest of the City. So, I think it's very important that we go forth and put Mr. Noonan on the Zoning Board.

**Michelle Madoff:**

Madam President, was the letter that was requested be sent to the Administration asking to have Mr. Walkowski somewhere in the City so that he could get his additional four to eight months in to be eligible for retirement, was that sent as requested? We were not trying to usurp the Mayor's priority; there's nothing we can do about that, as my colleague has pointed out. But I think that all of us felt that any of us that were in the same position four months or eight months away from being vested, that it would be terribly unfair and that was the point that I made last time.

Since the letter was not sent, Mr. Perry --

**Mr. Perry:**

That was only a request; it was never formally --

**Michelle Madoff:**

Well I would like to take this vote, if it's in order, since the sentiment of this Council seemed to be that we act fairly and justly towards Mr. Walkowski, that while we vote on this, that a letter be sent to the Administration urging them, which is all we can do, make a request, that Mr. Walkowski be found a place in the City for the next eight months so that he reaches his eligibility of 20 years. Look at the message we're sending to everybody that works in this City, that they can be fired or they can be let go eight months before they're eligible for a retirement. And I think that is a terrible thing for us to do and I would just urge my colleagues to support the sending of a letter. My understanding is that we agreed on it and that the letter was to be sent.

**Mr. Perry:**

It was only a suggestion made by Councilman DePasquale.

**Michelle Madoff:**

It was made by me but it doesn't matter.

**Mr. DePasquale:**

Point of order, Madam President. First of all, we're not talking about a pension; we're talking about a full pension. Mr. Walkowski, and it was in the newspapers last week, would receive \$630 a month if he were to retire today. If he gets his full pension rights he would get \$660. We're talking about a difference of \$30. I have no problem with it if the Mayor or somebody over there wants to put him on for eight or nine months so he gets the full pension, but we are talking about \$30. We're not talking about a full pension.

**The Chair:**

Can I point out, though, I'm a member of the Municipal Pension Fund. We have Mr. Walkowski's application for pension; we acted on it last week and he was awarded a pension. I don't know what more we can say on that matter.

**Mr. Ferlo:**

Madam President, if one were to proceed with Mr. Pollock's logic, the Senate would never have any say-so or impact on the nomination of Mr. Bork. But I don't think that's the case. This legislative body does provide oversight and does have say-so. He is correct in one matter and that is that this Council does not have any prerogatives relative to putting Mr. Walkowski back on the Board of Adjustment. That's just not practical and not possible for a number

of different reasons, mainly that that would have to come from the Administrator, the Mayor himself.

But on the matter of Mr. Noonan, I want to make it clear that I am voting no on his nomination, basically on one issue alone. I happen to know Mr. Noonan and I'm very clear that he's qualified for the position. But I do believe strongly that he does present a conflict of interest being under retainer and as a consultant for the Urban Redevelopment Authority —

**Mr. Lyons:**

Point of order. On that portion where you think it's a conflict, the Law Department came down last week saying that it was not a conflict for the status that Mr. Noonan has. That was handed down by the Law Department.

**Mr. Ferlo:**

Okay, but to finish my comments, I'm not aware of any opinion or anything in writing from the Law Department but, assuming there is something in writing, I don't really think that's the issue. The Law Department acts on the political behalf of Mayor Caliguiri and the Administration. I think that's clear in the history of this Council and that will be clear in the future history regardless of who the Mayor is.

So, very clearly, I'm voting no on Mr. Noonan's appointment. Obviously, he will probably be accepted today by this Council. I do feel it is a conflict of interest, especially in that there are a number of matters that come before the Board of Adjustment that directly and indirectly relate to the Urban Redevelopment Authority, both as an agency as well as people on the URA Board. A recent case being last week alone with a prominent URA board

member before the Board of Adjustment happened to be a restaurant and business owner in Shadyside.

With that in mind, I will hope that Mr. Noonan would exclude himself in the future from any vote relative to matters that are before the Board of Adjustment that relate to URA voting.

**Mr. Coyne:**

Madam President, like Councilman Ferlo I also question the advisability of having someone on the Board who does do work for the URA. I, Mr. Lyons, have seen a report from the Legal Department and that's why I would be voting no on Mr. Noonan also.

**Mr. Wagner:**

Madam President, I requested back when this came up for a vote a week or two ago, a legal opinion from the Law Department as to whether or not there is a conflict if someone is employed by the Urban Redevelopment Authority on a consulting basis and whether or not they could also be one of the three members of the Zoning Board of Adjustment. I hear that that opinion has been given through the media but I have not received anything in writing in that regard.

**Mr. Perry:**

I haven't either.

**Mr. Woods:**

Mr. Wagner is correct. I read it in the paper, I believe it was last week, after we tabled Mr. Noonan's nomination. I believe I read it in the paper where one of the reporters asked Danny Pellegrini, the City Solicitor, if it was a conflict of interest and his answer was no.

**Mr. Wagner:**

If I may, are we then to vote without that legal opinion?

**The Chair:**

Yes. We're going to vote right now.

**Mr. Wagner:**

I would like to comment then, Madam President. I think Mr. Noonan is an exceptionally qualified candidate but I believe this issue should be ironed out prior to the vote; I've said that before and I'm going to say it again.

I have opposed the other matter of which the manner in which Mr. Walkowski was removed from the Board, but I don't really think that's the issue in front of us. The issue in front of us is whether or not we would vote for Mr. Noonan. Now, that name came forth, I believe, about 60 or 70 days after the expiration of the previous term and the previous candidate was serving an extended period during that time. Council could have acted on a name after the 60 days had expired; I, for one, was not aware of that. What we have now is Mr. Noonan's name in front of us and I don't see any urgency here in this matter and I don't see any reason why we cannot wait one additional week, at least, to get a legal opinion. I would be very much in favor of doing that.

**Mr. Pollock:**

Call for the question.

**Mr. Wagner:**

I am going to abstain because I have not received an opinion yet.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |              |
|-----------------|--------------|
| Mr. DePasquale  | Mr. Pollock  |
| Mr. Lyons       | Mr. Woods    |
| Michelle Madoff | Mrs. Masloff |
|                 | (Pres't)     |

AYES 6 NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**REPORTS OF COMMITTEES**

Mr. Pollock presented

Bill No. 654

Report of the Committee on Finance for April 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 549

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A & L, Inc. in the amount of

\$18,854.27 in payment of work performed in connection with the Remedial Construction Work on the Saw Mill Run Interceptor; and providing for the payment of the cost thereof."

Which was read.

Mr. Pollock:

On Bill 549, I voted aye on Wednesday and I subsequently learned that our law firm has a lawsuit with the party involved in this, so I'm going to have to abstain. I didn't know it before Wednesday but I subsequently learned that.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Wagner      |
| Mr. Ferlo      | Mr. Woods       |
| Mr. Lyons      | Mrs. Masloff    |
|                | (Pres't)        |

AYES 8 NOES none

(MR. POLLOCK ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 559

A Resolution entitled, "Resolution

providing for the issuance of warrants in the aggregate amount of \$12,500.00 payable as follows: Mercy Hospital \$470.00; Dennis J. Hurwitz, M.D. \$40.00; Jerome Wolfson, M.D. \$27.00; Morton Berkowitz, M.D. \$1,255.00; Mercy Hospital (Medical Records) \$17.00; Joseph M. Zoffer, Esquire (Attorney's Fees and Misc. Expenses) \$3,128.21; Gwendolyn Jackson, in trust for Monique Jackson \$7,562.79, c/o Joseph M. Zoffer, Esquire, 1516 Frick Building, Pittsburgh, PA 15219."

Which was read.

**Mr. Ferlo**

Madam President, on Bill No. 559, the agenda that I have here lists \$40,000 as a figure for Dennis J. Hurwitz, M.D., and I believe it's to be \$40.00. That's a considerable difference, even the way we spend money around here. With that correction in mind, I have no objection.

**Mr. Perry**

That's a typo. We'll take care of it.

Also,

Bill No. 560

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$3,300.00 payable to Rosemarie DePellegrini, c/o Jay H. Spiegel, Esquire, 4552 McKnight Road, Pittsburgh, PA 152137-3109, in full settlement of a claim for property damage and providing for the payment thereof."

Which was read.

**The Chair**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |              |
|-----------------|--------------|
| Mr. Coyne       | Mr. Pollock  |
| Mr. DePasquale  | Mr. Wagner   |
| Mr. Ferlo       | Mr. Woods    |
| Mr. Lyons       | Mrs. Masloff |
| Michelle Madoff | (Pres't)     |

**AYES 9 NOES none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 561

A Resolution entitled, "Resolution transferring the sum of Twenty-Five Thousand Dollars (\$25,000.00) to Code Account 1045-9, Index Code 104596, Workers' Compensation, Department of the Mayor, City Information Systems from Code Account 1042, Index Code 104208, Salaries, Department of the Mayor, City Information Systems."

Which was read.

**The Chair**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |

Mr. Ferlo            Mr. Woods  
Mr. Lyons           Mrs. Masloff  
Michelle Madoff     (Pres't)

AYES 9            NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 655

Report of the Committee on Public Works for April 20, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 568

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo**

In the Committee Meeting on the discussion concerning traffic signal installations, I made a comment about the effort of the community there for the last many years to try to put a light in at Estella and Warrington and I had suggested that I was going to offer an amendment today to make sure that that was done. Following the meeting we did receive a call from Public Works and it's my understanding that they will put a traffic light in at Estella and Warrington

Avenue in the next 30 days. So, on that basis, I would not make the offering of an amendment today and I want to thank Public Works and it's Chairman, Mr. Woods.

Also,

Bill No. 569

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

**The Chair**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne           Mr. Pollock  
Mr. DePasquale     Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            Mrs. Masloff  
Michelle Madoff     (Pres't)

AYES 9            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 656

Report of the Committee on Planning,

Housing and Development for April 20, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 553

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-43 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to occupy the existing building located at 94-96 STRATMORE STREET by Step-by-Step, Inc., as a Group Residence Facility for eight (8) developmentally disabled adults with 24-hour supervision, and with four (4) outdoor parking stalls provided. The building is located on property zoned "R2" Two-Family Residence District and is identified as Lot No. 262, Block 40-G, in the Allegheny County Lot and Block System, 28th Ward.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 567

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Southwest Pittsburgh Community Development Corporation for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$5,000.00 and is chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, in the Department of City Planning. — (SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Wagner   |
| Mr. DePasquale | Mr. Woods    |
| Mr. Ferlo      | Mrs. Masloff |
| Mr. Lyons      | (Pres't)     |

AYES 7 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.



**Mr. Wagner presented**

Bill No. 657

Report of the Committee on Public Safety for April 20, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 566

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

**Mr. Ferla**

Madam President, on Bill No. 566, I would like my comments brought forward regarding Crown Wrecking Company and I would just make the comment to the Department Director that if there is merit to the issue of Crown Wrecking Company being guilty of illegal dumping and not having proper permits, I would hope that the Department Director would review the pre-bid specifications to in some way disallow this individual company from being able to bid on City demolition work in the future. Thank you.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S COMMENTS ON BILL NO. 566 - Wednesday, 4/20/88)

Mr. Ferlo:

Mr. Imhoff, concerning this legislation, there have been a number of articles in the paper recently concerning a local demolition company called Crown Wrecking Corporation, or Crown Wrecking Company. I have been in touch, my office, with a local Magistrate, as well as the Health Department, based on these articles in the newspapers. Apparently this company does do a lot of work with the City; they are one of the five or six main demolition companies that we do business with.

The concern that I have is they have been fined -- at least I will say this: They have been fined money for illegal dumping or not having proper permits. The concern that I have -- and I am trying to still get all the information from the Health Department and the local Magistrate -- is what are the nature of those charges that they were fined for, either in terms of not having the proper permits, as well as the issue of illegal dumping.

Now, these were articles in the paper, and this is information from the Magistrate and from the Health Department. But prior to the vote on Monday, if it is clear that this company has been found guilty of illegal dumping, I am going to seek to amend this legislation to in some way exclude them from being able to bid on this demolition work from the City.

Now, again, I am only operating on what was in the newspaper and the initial discussions I have had with the Magistrate, as well as the Health Department. But if that is the case, then I am seeking to amend this on Monday to exclude them in some way through the bid process from being able to bid on the City work.

Mr. Imhoff:

First of all, Crown Wrecking Company doesn't do a lot of work for the City. They are one of the top wreckers in the City. The only jobs that they bid on today are newspaper advertisement large jobs. They do not bid on our normal letter bids that are going out for bid.

On the lawsuit that was up, this was a Health Department complaint filed against a dump site that they owned, and it was formerly the City garage dump down in the end of the 28th Ward. And he was going in there, he was going in evidently to prepare for dumping for some of his own material on demolition that he does, and did not get the permission from the County Health Department. And the County Health Department cited him and I understand took him to court, I don't know. I guess he was fined, I don't know. That was what I read in the paper.

---

Mr. Ferlo:

I don't dispute you, but in the brief time that I did work in the Controller's office, I know for a fact it seemed like every other month there were significant invoices for Crown Wrecking.

Mr. Imhoff:

No, sir. I can tell you --

Mr. Ferlo:

When I worked in the Controller's office, there were many invoices paid to Crown Wrecking Company, because I processed the checks, so I know that. That may have changed in the last year, I don't know.

Mr. Imhoff:

I think we can go back a number of years and get you the number of jobs that were done.

Mr. Ferlo:

Whether it is 1 or 50, the point being that if there is some merit to the issue of illegal dumping, or not having proper permits, or violations of the health code, or not having City permits, I don't think that this company should be allowed to bid on the City work.

(Deleted text.)

Mr. Ferlo:

It is my understanding that we have in the past and even presently the City bid specifications provide for all types of requirements. And it would be perfectly legal to, within the parameters of the bid specification, to exclude someone who has been found guilty of illegal dumping or having violations. That is perfectly within the prerogative of the City Administration regarding the execution of the contract. There are 20 or 30 requirements that companies must meet before they can bid on City work, and this would be a pre-bid specifications, and I believe it is perfectly legal.

(Deleted text.)

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Mr. Perlo:

In response to Michelle, first of all, Mr. Pellegrini is not the last word, nor do we have anything in writing from him regarding this issue.

(This portion transcribed by Helen L. Kriebel, Stenotype Reporter.)

(CONTINUED...MR. FERLO'S REMARKS ON BILL NO. 566, WEDNESDAY,  
4-20-88)

Mr. Ferlo:

Mr. Imhoff, is it not a fact that--and I can point to a couple of examples. In the bid specifications currently, if you are a contractor doing work for the City and you don't complete the work or you botch up the job, isn't there clause in there that you are excluded in the future from bidding on the work. And in fact a local company, a plumbing company that now has a city contract did botch up the work and they re-incorporated a new name in order to then to able to bid on the City's plumbing contract.

Mr. Imhoff:

I don't know anything about the plumbing contract.

Mr. Ferlo:

In those service contracts there is a requirement there that if a contractor botches up a city job, they are then excluded in the future from being able to bid on city work, so it's a question of making it a part of the pre-bid specifications.

Mr. Imhoff:

I would think that if somebody repeatedly does a job like that and doesn't do it right, that yes we would not send them out for bids; that is the letter bids. On newspaper bids Dan Pellegrini has said that unless they are disqualified for some reason and they are notified properly and everything, we cannot disqualify them from newspaper bids. We have a selection on the letter bids but not on newspapers.

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                          |
|----------------|--------------------------|
| Mr. Coyne      | Mr. Pollock              |
| Mr. DePasquale | Mr. Wagner               |
| Mr. Ferlo      | Mr. Woods                |
| Mr. Lyons      | Mrs. Masloff<br>(Pres't) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 658

Report of the Committee on Engineering and Construction for April 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 550

A Resolution entitled, "Resolution further amending Resolution No. 996, effective November 13, 1986, as amended by Resolution No. 389, effective May 15, 1987, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, in form approved by the

City Solicitor, with Derek Martin Architects, (Consultant) for Engineering Services in connection with the Design of the Emergency Operation and Communications Center; and providing for the payment of the cost thereof,' by amending the title to include the name of the Consultant and by increasing the total project allocation by \$1,125.00 from \$35,000.00 to \$36,125.00."

Which was read.

Also,

Bill No. 551

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation to Thaddeus Stevens School Playground and Townsend Playground; providing for a Reimbursement Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 552

A Resolution entitled, "Resolution amending Resolution No. 1094, effective January 1, 1988, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by adding line item EC 88-66, and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 582

A Resolution entitled, "Resolution amending Resolution #540, effective June 17, 1985, entitled: 'Providing for a Cooperation Agreement or Agreements with the County of Allegheny for the design, furnishing and installation of a fire alarm system and other building modifications to the City-County Building needed to meet life-safety aspects of the City of Pittsburgh Building Code; and providing for the payment of the costs thereof,' by providing for a Supplemental Cooperation Agreement and by increasing the total project allocation by \$10,000.00 from \$279,912.40 to \$289,912.40."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |              |
|----------------|--------------|
| Mr. Coyne      | Mr. Pollock  |
| Mr. DePasquale | Mr. Wagner   |
| Mr. Ferlo      | Mr. Woods    |
| Mr. Lyons      | Mrs. Masloff |
|                | (Pres't)     |

**AYES 8 NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. DePasquale:**

Just a note in passing, Madam Chairperson. I just thought when Amy Ballinger and the Mayor were here, and myself, we should have taken a picture and it would probably have been entitled, "The Unholy Trio Rides Again".

**Mr. Pollock:**

How about "The Good, The Bad And The Ugly"?

**Mr. Wagner:**

Madam President, as all Councilmembers are aware and the public is aware, we've had an excessive number of vandalism cases in various City parks within the last month. To name a few, some examples are, the Brookline Park in excess of \$10,000; Leslie Park, \$500,000 to \$600,000 of a fire, a serious fire; West Penn Park has had some problems; most recently, Moore Park has had vandalism.

In some of those situations, police have apprehended some of the people that are accused of being involved, but the simple fact remains that it's very early in the year and we've had some serious, serious vandalism problems at our parks throughout the City.

Due to the unusual number of vandalism cases and complaints that have come in to 911 and to this Council, I have suggested to the Department of Public Safety that we re-implement the Park Police procedure within the Police Bureau. When I say re-implement, as everyone knows, back a couple years ago, we had Park Police that specifically went to the 200 or so parks throughout the City of Pittsburgh and enforced the law in those parks. What I'm suggesting,

and I've discussed this with Director Cannon and briefly with Chief Pampena last week, that we do something similar to what we did in the past under a different reporting procedure, that we have Park Police that fall under the jurisdiction of the various zones and the commanders, but their job is only to patrol the parks, and to do this during the hours in which problems occur the most which is somewhere around dinnertime in the evening until maybe three or four in the morning, and to implement it as soon as possible.

We have a new police recruit class graduating very soon within the next two weeks and we could take two officers per zone seven days a week for one shift and implement this Park Police patrol.

In addition to that, the ordinance states that you are not permitted in the parks between the hours of 11 p.m. and 6 a.m. unless you have a permit from the Director of Parks and Recreation. There are very few parks in the City that have signs on the various entrances to the parks indicating that. So, people think they can be in the parks when, in fact, according to the Code, you're not permitted in the parks between the hours of 11 p.m. and 6 a.m.

There is also a \$300 fine if you're caught in the parks during those hours if you don't have a permit say, for instance, for softball games or whatever a permit would be given out for.

But, I'm also asking Parks and Recreation to put up signs sometime in the near future, but more importantly, I'm asking Public Safety to implement a special patrol in the parks. I am hoping that the Administration will go along with it and I'm hoping that we can reduce the potential of these serious vandalism incidents from occurring this year. And I would also ask them to do it each and

every year for a six month period beginning in April through October.

**Mr. Ferloc**

On this issue and somewhat a related issue, I'd like to concur with Mr. Wagner and support him on this initiative and hope that we get a response from Director Cannon on this issue. But you can add West Penn Field also to your list -- Did you mention that?

**Mr. Wagner:**

Yes.

**Mr. Ferloc**

Excuse me. It's my understanding that it will not be able to be used now for softball because of the lighting being blown out.

I would like to, on that issue, address a concern to my colleague, Mr. Coyne, and maybe he could follow up with it, if he's willing, and that is, it's been raised with me that Sargeant Electric Company does provide lighting that is more difficult to knock out with B-B guns and rocks. It's a little bit more money but I think it's reached the point now where, out in Sheraden Field, I know, and now West Penn Field and probably elsewhere, where it might be more efficient and actually less expensive to pay a little bit more for the safety lights in some of these parks and ballfields than to have the situation that we have now where the lights are blown out and taken out of commission for many, many weeks.

So, I would like, if he's willing, Councilman Coyne to pursue that matter since he's Chairman of Parks and Recreation because it was raised with me when I was out in Sheraden Field a couple weeks ago and it would seem to



---

me it might be a little more money but it  
would be much more wise on our part.

**The Chair:**

Very well.

And on the motion of **Mr. DePasquale**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, May 2, 1988

No. 18

### Municipal Record

#### ONE-HUNDRED TWENTY-FIFTH COUNCIL

SOPHIE MASLOFF ..... President  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, May 2, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock  
Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Michelle Madoff:

This resolution is a pay equity resolution and I would like to call representatives who are present of the ten groups that are presently supporting this legislation. There are many, many other groups who are currently discussing this concept and I'm sure will be on the bandwagon. The American Association of University Women, American Federation of State and County Municipal Employees Local 2578, Coalition of Labor Union Women, Communication Workers of America Local 13,000, Greater Pittsburgh Commission of Women, League of Women Voters, National Association for the Advancement of Colored People, NAACP, National Council of Jewish Women, Service Employees International Union, WYCA of Greater Pittsburgh. I believe we have Joyce Poeseel, Kay Tillow, Cynthia Chertos, Harvey Adams, one rooster among the chickens, Shirley Levine, and Jan Neffke with us today.

##### Michelle Madoff presents

No. 697 WHEREAS, on average, women's annual full-time, year round earnings are approximately 68% of men's and the wage gap between men and women has been fairly constant over the last fifty years in spite of federal and state laws outlawing sex discrimination in employment; and

WHEREAS, the persistent disparity in wages is in large part due to

occupational segregation, where the majority of "women's jobs" such as nurse, secretary and teacher carry lower pay than traditionally male occupations requiring comparable levels of skill, effort and responsibility; and

WHEREAS, if all women were paid according to the value of their jobs, the wage gap would narrow substantially; and

WHEREAS, it is the responsibility of every employer to assure that employees are fairly paid according to their job content, without regard to their sex; and

WHEREAS, setting women's wages at a level consistent with the value of their contribution would increase their disposable income and therefore expenditures within the local business community, contributing to the government's tax base, as well as reducing the number of families in poverty; and

WHEREAS, HB 1182 would provide pay equity for state employees and SB 558 would amend the Equal Pay Law to provide a legal remedy for sex-based wage discrimination; and

WHEREAS, the passage of such laws would benefit the families and the economy of this state.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby supports and encourages the passage of pay equity legislation.

Michelle Madoff moved to approve the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

#### Michelle Madoff:

I'm going to turn the mike over to people who would like to speak, give them all one minute, and we'll keep our comments brief. But I do want to make one statement; there was a comment made at the press conference that this is something that white males would not see very favorably and I've only one comment: Men of quality are not threatened by women of equality.

#### Ms. Tillow:

I'm Kay Tillow; I'm President of the Coalition of Labor Union Women and we're fighting for the pay equity out of a sense of justice for people but also because the result of that wage discrimination is children living in poverty without adequate clothes and food and shelter. It's a part of a national drive for pay equity which we are doing in a march on Washington on May 14th and busses are going from Pittsburgh and I have that information available.

#### Mr. Adams:

I'm sure I didn't hear Michelle limiting someone's right to free speech to one minute. It takes me a minute to tell you my name, but I'm only teasing you. And to Mr. Ben Woods, I don't get down here often anymore but you certainly carry the mantle of President of Council very well. I'm so happy to see you in that role, Ben.

I'd just like to say that the NAACP certainly stands foremost behind any groups that ask for equality. We all understand, and we just said the Pledge of Allegiance, where we talked about equality. Certainly, one of the greatest tenants of discrimination has to do with money, and that applies to Blacks, Hispanics, females in particular, in this instance. And we're saying that there

are many, many female heads of households who are being underpaid for the work that they do. This is just another form of discrimination that has to be rooted out in this country if that Pledge of Allegiance has any merit to it and certainly the government has a great role in doing that and I have the greatest confidence in this Council of doing the right things and we hope that you'll use your considerable influence to reach those State Legislators, Congressmen, Senators, including presidential candidates, to see that that is one of the planks in their platform. We thank you very much.

**Ms. Chertos:**

I'm Cynthia Chertos, I'm the Executive Director of the Greater Pittsburgh Commission For Women and Co-Chair of the Pay Equity Coalition of Southwestern Pennsylvania.

On behalf of the Pay Equity Coalition of Southwestern Pennsylvania, we were very pleased to assist Councilwoman Michelle Madoff in drafting this resolution. The Coalition, for your information, was formed this year to provide public information on the issue of pay equity and to assist whenever it seems feasible in moving the agenda of pay equity. Our membership includes the Greater Pittsburgh Commission for Women, the YWCA, the NAACP and the other sponsoring organizations that you heard Michelle speak of a few minutes ago.

I'd just like to say that implementing pay equity is good business, it's important to families, it's important to our community, and I think we should all be very proud that the City of Pittsburgh is joining those forward looking communities in our country, recognizing and resolve to eliminate any remaining wage discrimination for

women and minorities. Thank you.

**Michelle Madoff:**

Mr. Woods, would you perhaps see that the City Clerk is instructed to see that this resolution gets to all the State Legislators representing the City of Pittsburgh and we'd like to see it go to the candidates for President.

**Mr. Ferlo:**

Mr. Woods, it's a little bit off the subject but I think we should commend Harvey Adams and the NAACP for their leadership on the Connelley School in helping to come out, as Michelle just last week introduced a resolution on that issue. And I think we should applaud Harvey Adams who often times is criticized in the papers but on this issue the NAACP has shown a lot of leadership and they're partly and mainly responsible, I think, at this time for the School Board looking twice at the closure of the Connelley School.

**Mr. Coyne:**

Could I have the following individuals come forward, please? Michael Senko from the City Department of Parks and Recreation; Fred Landucci of Beechview Senior Center; Frank Perello of Brashear Senior Center; Anthony DeNapoli of the Garfield/Bloomfield Senior Center; John White of the Glen Hazel Senior Center; Rose Lucchino of the Greenfield Senior Center; Catherin Sciulli of the Hazelwood Senior Center; Bessie Foster of the Homewood Senior Center; Dorothy Snyder of the Lawrenceville Senior Center; Loretta Foley of the Mount Washington Senior Center; Bill Simendinger of the North Side Senior Center; Julia Fountain of the Northview Senior Center; Ted Czolba of the Oakland Senior Center; Frances

Azzarello of the Perry South Senior Center; Olga Muraska of the Sheraden Senior Center; Mary Winkler of the South Side Senior Center; Anthony Andolina of the Troy Hill Senior Center; Eleanor Scholz of the West End Senior Center; and Mary Richel of the Perry North Senior Center.

**Mr. Coyne presents**

No. 698 WHEREAS, the month of May is an ideal time to honor Pittsburgh's senior citizens because with the Spring season comes the celebration of brighter days and the promise of a full life; and

WHEREAS, the theme of this month-long tribute is "In Praise of Aging" in recognition of senior adults as a vital part of the Pittsburgh community; and

WHEREAS, Citiparks' senior centers facilitate the social, emotional and physical well-being of older adults and promote the older person's confidence in his or her ability to lead an independent life; and

WHEREAS, "In Praise of Aging" aims at sensitizing seniors to their own capabilities and celebrating the richness of growing older.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the month of May as "Older Americans Month" in the City of Pittsburgh to heighten community awareness of elderly citizens and their activities; and

BE IT FURTHER RESOLVED, that the week of May 9 through May 13, 1988 be recognized as "Senior Center Week" in conjunction with the programs conducted by Citiparks.

**Mr. Coyne** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

I'd like to ask Mr. Senko of Citiparks to give a brief comment and also to point out that we have 19 folks here who represent the various senior centers. But it isn't just these 19 people we honor here today, although their efforts are to be praised because they're members of the Advisory Council, but all our senior citizens who participate in programs throughout the City and for the staff of Citiparks for doing such a fine job.

**Mr. Senko:**

Thank you, Councilman. We appreciate Councilman Coyne's efforts, and all of Council for their continued support and the opportunity not only to honor these representatives of our centers here, but also the opportunity that it affords us to educate the public on what the continued contributions of the elderly citizens of Pittsburgh do through the center's system and the preventative role of their healthy contributions.

I invite everybody to join us Wednesday through Friday of this week in the lobby of the City County Building for the displays and exhibits of their healthy contribution to the City. Thank you.

**Mr. Ferla:**

I'd like to ask Mr. and Mrs. Walkowski and their daughter Carol to please come up.

**Mr. Ferlo presents**

No. 699 WHEREAS, for over 19 years, Ed Walkowski faithfully served on the Zoning Board of Adjustment; and

WHEREAS, the Zoning Board of Adjustment is often found in the middle of community disputes, which necessitates that members have the wisdom of Solomon in order to resolve them; and

WHEREAS, during those 19 years Mr. Walkowski participated in over 8,000 rulings before the Board; and

WHEREAS, Mr. Walkowski was respected as a Board Member by community groups and businesses across the City for his fairness and hard work; and

WHEREAS, Mr. Walkowski resigned from the Board on April 1, 1988.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Ed Walkowski for his contributions to the City of Pittsburgh and wishes him well in future endeavors.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Ferlo**

I'd just like to call on Mr. Walkowski. I'm sure all of Council is very familiar; many of you have been friends with Ed for many years. I'd also like to introduce his wife, Helen, and his daughter, Carol.

At this time I'd like to give the proclamation to Ed and ask him to say a

few words.

**Mr. Walkowski:**

I'm not one for a few words but I'll give you a little.

When I was asked to come down, I didn't know what was going to happen here. In my mind I thought maybe George Jacoby was going to bring me my gold watch. I don't see it here today but perhaps in the future he'll break down and deliver it.

Looking back over that period of time, I worked with quite a number of people that deserve credit. You had some Chairmen by the name of Paul Sullivan and Joe Mistick; great people, they did a great service to the City of Pittsburgh. In fact, I think those people plus this Board helped the City of Pittsburgh become the Number One City in the United States. That I felt proud, that we had a little contribution to that.

Also, working with Gerald Fox who is still on the Board. Gerald pointed out a couple of weeks ago that Gerald and I have served on that Board longer than any boardmember in its existence. I was surprised to hear that.

Also, down the hall working with Jim Brown and Paul Imhoff; great people that you have working for you. You can count on them to continue a great job.

At the present time, a lot of people ask me if I'm going to retire, and I said no, I wouldn't. I will be in my office starting tomorrow selling insurance; that's life, commercial, business. That is the commercial for all T.V. programs. I enjoy that work and I enjoy working with people. However, I would like to wish my replacement the best of luck; he's going to need it. It's a tough job. He will get threats, I got threats; some of

the threats were carried out. I won't go into detail, but he has to be on his toes.

As for the future, I look forward to two things; in August I'll be married 40 years to this young lady here and we're going to celebrate. Also, I'm looking forward to next year's election. That primary should be a real humdinger. I'm going to take a very active part in it; I don't intend to run for Council, so no one has to worry about that. But I will be very active in it and I'm cordially inviting all Councilmembers, if you're in Bloomfield at any time from 11:30 to 1:00, I'll take you to lunch.

With that, I do appreciate this award. This is the third big award I've received in my life; I received one from the American Legion, a Distinguished Service Award, and I got one from the City of Hope which I received in Hollywood, California. So, this makes number three and I'm proud to have it. Thank you.

**Mr. Wagner:**

Mr. Walkowski, I just want to thank you also for your little over 19 years of service to the City of Pittsburgh. You have truly brought professionalism to the City and dedication. I would have liked to have seen it been 20 years, but I guess the chips fell the way they were. But, at the same time, I want you to know that I appreciate your contribution to the City. You mentioned the Most Liveable City in America; you're right. Your contributions along with many others made that happen and I thank you for it. And I hope you do stay involved in the City of Pittsburgh in the future. We need you.

**Mr. Walkowski:**

I will be active next year.

**Mr. Wagner:**

Thank you.

**Michelle Madoff:**

Ed, I was away on vacation and I came back and found out what had been done to you. I didn't talk to you; I just automatically mentioned to this Council that I was most distressed that eight months before your total pension was due, that we were sending a terrible message to all the employees that work for the City saying anybody can lose their job at the last minute. I was very distressed. You and I have been friends since the day I started to run in '73 and you're always been my supporter, and Helen even a stronger supporter; we women hang together or we hang alone.

You mentioned something today that struck a familiar chord, it struck a nerve. When did Paul Sullivan leave? What year was it?

**Mr. Walkowski:**

In '79.

**Michelle Madoff:**

I think you're right, because I was on Council in '79 and I had worked with Paul Sullivan in the environment. I went to bat for Paul Sullivan because the same thing happened to him. Do you remember? Paul Sullivan was discharged without -- It wasn't even so much the seven years and no pension but there was also the fact that he was replaced by someone with very short notice.

So, here I am and I hope we don't have it. The third time is a charm; you got a third award. I hope we don't have a third time where this City would do something like that because I think it's unconscionable.



**Mr. Walkowski:**

Joe Mistick replaced Paul Sullivan.

**Michelle Madoff:**

I didn't know Joe at the time and I love Joe; Joe is a wonderful man.

**Mr. Walkowski:**

He is wonderful and if you ever hear of Joe going back to Italy, congratulate him because the he got married again. Every time he gets married —

**Michelle Madoff:**

He's married again; he just had a baby.

**Mr. Walkowski:**

Then he's going to Italy again. He's a terrific guy.

**Michelle Madoff:**

I don't remember names very well, I'm very bad with names, but I never forget issues. I'm like a computer; I don't forget issues. And I'm telling you that I remember going to bat for Paul Sullivan. Do you recall that? Think about it.

**Mr. DePasquale:**

Mr. Chairman, Point of Order. We're here to honor Mr. Walkowski today and we've gone back in history about 40 years. I don't mean that to be sarcastic.

**The Chair, Pro tem:**

Thank you all very much.

**Mr. Wagner presents**

No. 700 WHEREAS, United States Marine Corps Sergeant Charles A. Brown is being transferred from Pittsburgh to Marine Headquarters in Washington, DC, and

WHEREAS, Sergeant Brown has spent four (4) years, February 1984 to April 1988, in Pittsburgh as the Public Affairs NCO at the Marine Corps Recruiting Station; and

WHEREAS, Sergeant Brown became involved in numerous charitable and civic causes during his time in Pittsburgh, including Toys for Tots, Sharing and Caring, Inc., visiting the patients in area Veterans Administration Hospitals, Armed Forces Day, the Three Rivers Regatta, Threes Rivers Arts Festival, the Great Race and the Pittsburgh Marathon; and

WHEREAS, while being stationed here, Sergeant Brown became a tireless, devoted promoter of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks Sergeant Charles A. Brown, U.S.M.C., for his many humanitarian and civic contributions to the City and wishes him much success in his new assignment; and

BE IT FURTHER RESOLVED, that the Council and the citizens of the City of Pittsburgh will always have a "Welcome" sign hung for Sergeant Brown.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President and members of Council, I just want to state that I'm a little late with this; I should have had this resolution last week. Sergeant Brown was transferred officially last week; he's now in Washington, D.C. I will forward the resolution to him in the mail. Thank you.

**Mr. Coyne presented**

No. 663 Resolution authorizing the issuance of a warrant in favor of Liberty Welding Company in the amount of \$1,817.50 in payment for the rebuilding of the engine of the miniature train at the Pittsburgh Zoo, chargeable to and payable from Code Account No. 1856, Repairs in the Department of Parks and Recreation.

Also,

No. 664 Resolution transferring the aggregate amount of \$575,000.00 from various code accounts to Code Account SPP (254359), Special Parks the amount of \$65,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$510,000.00 in the Department of Parks and Recreation. The funds are to be used in connection with the Department of Parks and Recreation's Summer Lunch Program and will be reimbursed by the Commonwealth of Pennsylvania and will be refunded to the original accounts.

Which were read and referred to the Committee on Finance.

Also,

No. 665 Resolution providing for an Agreement or Agreements with the City Theatre Company, Inc., for furnishing professional services for the benefits of the residents of the City of

Pittsburgh during 1988, at a cost not to exceed \$15,700.00, chargeable to and payable from Code Account No. 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 666 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation at a cost not to exceed \$450,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation.

Also,

No. 667 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT; providing for the execution of the Grant Contract(s) and for the filing of requisitions and other data; approving the Project; providing for the required assurances; providing for execution of payment vouchers on Letters of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the Special Summer Food Service Program account. This program will enable the City of Pittsburgh to apply to participate in the federally funded lunch program for the summer of 1988.

Also,

No. 668 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting

authorization for Karen Jewett to attend a showcase called City Dance '88, in Washington, D.C., May 18-20, 1988, at a cost not to exceed \$200.00, payable from the SPPTF Code Account.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale presented**

No. 669 Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Phase 4.03, Tropical Forest Complex Exhibitry at the Pittsburgh Zoo at a cost not to exceed \$2,625,000.00, chargeable to and payable from Code Account EC 88-32.

Also,

No. 670 Resolution further amending Resolution No. 1094, effective 1/1/88, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing EC 88-32 by \$1,125,000.00 and by changing the funding source. This amendment will provide sufficient funds for construction of Phase 4.03, Tropical Forest Complex Exhibitry, at the Pittsburgh Zoo.

Also,

No. 671 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Demolition of the Rankin Avenue Pedestrian Bridge at a cost not to exceed \$55,000.00, chargeable to and payable from Code Account EC 88-12.

Also,

No. 672 Resolution further amending Resolution No. 677, effective

8/11/86, as amended by Resolution No. 709, effective 8/25/87, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Schenley Park Underpass; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements, by naming the Consultant, and by increasing the total project allocation by \$7,000.00 from \$30,000.00 to \$37,000.00, chargeable to and payable from Code Account EC 86-13 \$30,000.00 and Code Account EC 88-29-\$7,000.00 total \$37,000.00.

Also,

No. 673 Resolution providing for a Contract or Contracts, or use of existing Contracts for Mechanical Construction work for the Department of Public Works' Traffic Division Building located in the Strip District at a cost not to exceed \$250,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 674 Resolution amending Resolution No. 300 of 1984, entitled: "Resolution amending Ordinance No. 318, approved June 26, 1968 which authorized the Mayor to issue and the City Controller to countersign warrants for the purpose of establishing an imprest fund for investigation expenses for the Bureau of Police, Department of Public Safety, by deleting the payees named therein and naming the Superintendent of Police as payee; and by changing the amount of the fund from \$8,000.00 to the total of the amount existing in the fund at the time of the issuance of the warrant," by specifically including as

eligible, expenses incurred in relation to the investigation of auto theft to be paid out of the Police Bureau Imprest Fund.  
—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 675 Resolution establishing a Port Authority Bus Safety Zone, eastbound on Fifth Avenue in the Contra-Flow bus lane where no Port Authority or emergency vehicle shall travel in this designated zone at a speed greater than 15 miles per hour.

—(SPONSORED BY MR. FERLO)

Also,

No. 676 Resolution Repealing the Contra-Flow Bus Lane approved by City Council allowing the Port Authority of Allegheny County to route buses eastbound on Fifth Avenue from Craft Avenue to Bellefield. —(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Public Works.

Also,

No. 677 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Auto Theft Trust Fund for the deposit of cash and contributions from Insurance Companies, Citizens or transfers, and authorizing the use of the funds deposited therein by the Department of Public Safety for any and all expenses associated with investigations of auto theft, including but not limited to salaries, premium pay, supplies, materials and other miscellaneous expenses, and may be drawn by departmental invoice, signed by the Director of the Department of Public

Safety. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Lyons presented

No. 678 Resolution authorizing the submission of an application for financial assistance in the amount of \$921,000.00 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for fiscal year 1988, execution of Grant Agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program and receive funding directly from the United States Department of Housing and Urban Development for the operation of the program.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 679 Resolution providing for the issuance of a warrant in favor of 3M Corporation to cover the costs of materials used for the City's neighborhood street sign test program, in the amount of \$522.48, chargeable to and payable from the The Neighborhood Street Sign Program, CP86-09.

Also,

No. 680 Resolution providing for the issuance of a warrant in favor of Pioneer Supply Company, Incorporated, to cover the cost of materials for manufacturing and installing neighborhood street signs, in the amount of \$692.57, chargeable to and payable from the The Neighborhood Street Sign Program, CP86-09.

Which were read and referred to the Committee on Finance.

Also,

No. 681 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$40,000.00 of Neighborhood Development Program Funds for a contract with the Hill District Community Development Corporation for the preparation of predevelopment plans for a planned unit development on the site of the former Western Restoration Center.

Also,

No. 682 Resolution amending Resolution No. 549, effective July 13, 1987, entitled: "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program" to include provisions concerning prevention and elimination of blight.

Also,

No. 683 Resolution amending Resolution No. 542, effective July 13, 1987, entitled: "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$450,000.00

to the Pennsylvania Department of Community Affairs for the 1987 Urban Homesteading Program" to include provisions concerning prevention and elimination of blight.

Also,

No. 684 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh in matters of property acquisition and relocation of street rights of way in connection with the reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty - 10th Street - 6th Avenue in an aggregate amount not to exceed \$331,200.00, chargeable to and payable from the Grant Street Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 685 Resolution providing for a License to Duquesne Light Company for the installation of one pole and one anchor together with all necessary appurtenances thereto on City property situated in the 24th Ward, designated as Block and Lot 46-S-87 and 46-M-174, in connection with providing electrical service to Howard Pump Station.

Which was read and referred to the Committee on Water.

**Michelle Madoff for Mr. Pollock presented**

No. 686 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in

accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 687 Communication from James Turner, Director, Department of Finance, requesting authorization for Marion Wise and Eric St. Clair to attend a Pennsylvania State Conference on Municipal Finance, in Harrisburg, PA, May 25-27, 1988, at a cost not to exceed \$750.00, payable from Code Account No. 1063, Miscellaneous Services. Permission is also requested for use of a City vehicle. Participation in this conference will be very beneficial to the City of Pittsburgh. The topics to be included on the first day will be a presentation on Tax Reform, the Distressed Municipalities Act and other current issues at the state level. There will be sessions on Bond Financing and Financial software demonstrations. The second day will include a panel discussion on GASE and the accounting of government funds with sessions on resource recovery financing and insurance market updates. The final day will include sessions on capital financing, tax increment financing, cash forecastings, audit ratings and employee benefits.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 688 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Captain John Bauer and Firefighter Ralph Jedrzejewski, Arson Strike Force, Bureau of Fire, Department of Public Safety, to attend a training seminar at the annual International Association of Arson investigators Seminar in Niagra

Falls, New York, May 9-13, 1988, at a cost not to exceed \$1,390.00, payable from the PSTA Code Account. The purpose of this seminar is to update our techniques for investigating suspicious fires. (PRIOR APPROVAL GRANTED)

Also,

No. 689 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Assistant Chief Kevin Mallott, Captain Richard Cunningham, and Captain John Dobbs, Bureau of Fire, Department of Public Safety, to attend the National Fire and Burn Educators Conference, in Columbus, Ohio, May 13-15, 1988, at a cost not to exceed \$1,142.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. The purpose of this conference is to exchange information in regards to the research and delivery of programs to the public to reduce the incident of fire in the urban environment. (PRIOR APPROVAL GRANTED)

Also,

No. 690 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for William Trempus, Firefighter Instructor, Bureau of Fire, Department of Public Safety, to attend the National Fire Academy, in Emmitsburg, Maryland, April 25-May 6, 1988, at a cost not to exceed \$232.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. The purpose of attending this two-week course is to improve communication skills in the delivery of public fire education and burn prevention education programs. Communication skills in speaking, writing, and media are examined and applied. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

**The Chair (Pro tem) presented**

No. 691 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Ellen Clair to attend the annual conference of the National Federation of Local Programmers, in Tampa, Florida, July 13-17, 1988, at a cost not to exceed \$1,100.00, payable from the Community Communications Trust Fund. The purpose of Ms. Clair's attendance at this conference is to participate in seminars dealing with the latest developments in Cable Television Public Access Issues, Policies for Community Communications, Development and Implementation of Viewer Surveys and Updates on Research and Developments in Community Communications Programming and Content Issues.

Which was read and referred to the Committee on Finance.

**UNFINISHED BUSINESS**

**The Chair, Pro tem, presents**

No. 692 Communication from Mayor Caliguri returning with his veto Council Bill No. 310 entitled, "Prohibiting the transfer of funds to various authorities until such time as the authorities adopt a City of Pittsburgh Residency Requirement for their employees".

Which was read.

**(MAYOR'S VETO LETTER)**

April 28, 1988

President and Members of Council  
CITY OF PITTSBURGH  
510 City County Building  
Pittsburgh, Pennsylvania 15219

Dear President and Members:

I am returning herewith Council Resolution No. 310, Authority Residency Requirements, along with my veto of that legislation.

I am in complete agreement with the spirit and the intent of your resolution. I believe that every person who is employed by the City or an authority related to the City should have a vested interest in our community. However, I am advised by the City Solicitor that, consistent with my powers and duties as set forth in the City Charter, I must veto this legislation because it is legally defective.

There are two issues confronting me. The first is specific to Section 1 of the Resolution and its prohibition on signing warrants unless a residency requirement is adopted. The second relates generally to City Council's authority to contravene the power derived by the authorities from state legislation.

First, by directing that warrants not be countersigned by the Mayor and the City Controller, Council has placed itself in the position of modifying the terms and conditions of the City's contracts with the various authorities. Under the terms and conditions of these contracts, the various authorities and the City of Pittsburgh has certain rights and responsibilities that are owed to each other. By ordering me not to sign, and the City Controller not to countersign,

any warrants with these authorities solely for the lack of a residency requirement would constitute a serious breach of these agreements.

The second defect in this resolution arises from City Council's attempt to overstep the legislative authority from which our municipal authorities are created. By their very nature, authorities take on the appearance of the municipal governments which they serve, for it is their purpose to ensure the orderly progression of municipal development that is beyond the scope of the local entity. However, the powers exercised by the authority are not derived from the local governments, but from the enabling legislation passed by the state legislature that created each specific authority.

Each authority has a specific public purpose. Such a narrow focus creates a unique set of problems that each must face. There are management contracts, labor contracts, federal funding streams and contract reviews that are peculiar to each authority. This is recognized by the state legislature, and that is why each authority is created under a specific municipal authorities act. We would not only be illegally pre-empting state legislative power by forcing a residency requirement on each of the authorities, we would also be compromising the integrity of self-governance that is essential for their very purpose.

Fortunately, the authorities of the City of Pittsburgh share your foresight and concerns about the residency requirements. I have, in the past few months, asked each authority to consider a residency requirement for its members. Of the six authorities in question, all have either adopted a residency requirement or are in the process of developing a residency policy.

It has always been my policy to seek out the most qualified persons who are City residents or who have a vested interest in the City of Pittsburgh to fill the authority positions over which I have appointive power. You have my assurance that this administration will vigorously attempt to legally assert whatever powers it has to ensure that residency requirements are met by all future authority employees.

Very truly yours.

Richard S. Caliguiri

(END OF LETTER)

**Mr. Ferlo:**

Point of Procedure. Mr. Chairman, I'd like to ask for a three minute recess.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

And I would also like to ask that Mr. Dan Pellegrini, the attorney who wrote this opinion, be here.

**Mr. Ferlo:**

I'm only asking for the recess, not for Mr. Pellegrini.

**Michelle Madoff:**

I'm asking for Mr. Pellegrini to be here.

**The Chair, Pro tem:**

I'm not going to have Mr. Pellegrini come up here. We're going to recess for three minutes.

**Michelle Madoff:**

Excuse me. May I challenge the



Chair on having Mr. Pellegrini here?

**The Chair, Pro tem:**

You can't challenge the Chair.

**Michelle Madoff:**

Why not?

**The Chair, Pro tem:**

Because the Rules of Council say that if anyone objects to anyone coming to Council, that's it.

**Michelle Madoff:**

That's true but I think it's unfair.

And on the motion of Mr. Ferlo

Council recessed.

**The Chair, Pro tem:**

The recessed meeting will now come to order. I need a motion to override the Mayor's veto.

**Mr. Ferlo:**

Motion to override.

**Mr. DePasquale** seconded the motion.

**Mr. Ferlo:**

Discussion. I'll try to be succinct because having discussed this issue over the weekend and as late as three minutes ago, I think I know where everyone stands and I'm hopefully going to make an eloquent passionate appeal to Mr. Coyne and Michelle to vote with the other five Councilmembers who —

**Michelle Madoff:**

Don't presume to know how I vote. I find it offensive.

**Mr. Ferlo:**

I don't presume, I'm only making a last ditch effort in hopes to win your support on this because I know all of Council unanimously approved the residency requirement as originally proposed in the legislation and now we are faced with an override. I don't want to get into a long discussion about why the legislation was necessary; suffice it to say that we proposed it and supported it as well as members of Council because of the money issue involved in lost revenues. It's very clear to me that in the tenure of this Administration over the last eight years, close to 40 percent of the payroll of the various authorities are people who live outside of the City. Those are jobs that are not going to residents of Hazelwood; they're not going to residents of Greenfield. This legislative would help to alter that and I hope that Councilman Coyne would think about that issue.

On the legal matter which is really the issue before us, in the letter of veto to Council, and in response to that, I had sent a letter over the weekend to Mayor Caliguiri, and just to speak very briefly about that, I would like the Administration in their veto did not outline or specifically identify any contract that they believe was in violation of this legislation, that this legislation violates. It cannot point to any contract. In fact, in many opinions that the Solicitor has offered to this Council as recently as last week in the matter of the historical designation, the Solicitor's position has consistently been one that regardless of federal law or state act, we have tremendous powers under Home Rule for various types of

powers relative to police to the health and welfare of our community. And that's certainly an issue that falls in this area. I point to the case law of the City of Pittsburgh versus the Commonwealth of Pennsylvania which I cited in the communication to the Mayor.

I think it's very clear from lots of different case law that has been established over the years that we have very broad powers given to us under the Home Rule Charter and, in fact, the Home Rule Charter, as the constitution of this City, was given to us as enabling legislation by State government. They transferred, basically, powers to us as a municipality. The Home Rule Charter is power given to us by State government and I believe very strongly that its within that power for this Council as it has with wisdom chosen to support the residency requirement. I am not interrupting or contravening the powers of the Authority to enter into contract with any entity. This simply states a relationship between we, the City of Pittsburgh, and the various authorities, authorities which we create by ordinance regardless of the fact that there is state enabling legislation.

Even if you believe or support some of the arguments made by Mr. Pellegrini's legal mumbo-jumbo to Council, at least let us proceed further by overriding the Mayor's veto and let us have some discourse, whether it be in a court of law or some type of arbitration with the Administration on this matter.

I will point very clearly that the reason why I want this residency law, regardless of the individual decision of the authority boards to pass requirements, is that in the future we may have a new Administration who will appoint new boards and commissions of authorities. There will be new staff people. There may be some of these

people who will come from the County and the one last place for political appointments that's not covered by Personnel and Civil Service is the various authorities that employ upwards of 800 people.

If, by using an example, if the County Controller would end up being Mayor, the one option that he would have is to put County residents that are working their tails off for his election in high paying jobs in the various authorities. And that's denying a job to a person from Hazelwood and a person from Greenfield. And I want to see that stopped.

This residency requirement would have the full weight of law and it would not have a situation that it can be overruled and undermined by individual authority boards of which they will change. The face of the authority boards will change in the future. This is not the antagonist issue with this Administration, per se; it is something that is a principle issue that everybody who works in the City, whether it be the Police, the Fire, the Paramedics, the white collar work force or the authority, should live and reside in the City of Pittsburgh and contribute financially.

I'll just close by saying that I think the legal arguments are spurious. I think we should have the option in the future to either arbitrate with the Administration but, if need be and we need legal representation, I know a number of attorneys who helped me draft this resolution. Without mentioning names, some of them are attorneys who work for other authorities, in fact. They are very willing to help us pro bona, for free, be represented in the future if we need to.

I call on the Administration not to be a legal obstructionist which is, I think,

the basis for their action here as well as being politically adversary. And I think it's important to override this resolution so that we can have further discourse and action on it in the future. Thank you, Mr. Woods.

**Mr. Coyne:**

I'd like to express my appreciation to Councilman Ferlo for his concern for City workers and in particular those from Hazelwood and Greenfield. I think it's very commendable that you're so concerned about the residents in my area and I hope you remember this when the workers of our City, in particular those of Hazelwood, when the LTV issue comes up on Wednesday as we fight to save that plant for further operation and not just play into the company's hands for ripping it down.

I'd like to express my dissatisfaction with the Administration for giving us this veto on Friday at such a late date before we had a real good change to debate it among ourselves in enclosed quarters. However, I must say that I'm not going to vote to override this veto solely because I agree with the argument here presented by the City Solicitor and also after conferring with a couple attorneys I know, they also agree with his position. Initially, Councilman Ferlo and other members I hope will remember that I did support this bill and I think what this points out is a need for City Council to have its own attorney. If we would have had our own attorney, we could have discussed the legal ramifications of this bill prior to voting on it and having it go to the Mayor and then having the Mayor veto it.

The Mayor's first argument or the Solicitor's first argument for the Administration is that this would create a breach of agreement. And though I find that there is some merit to that

argument, I feel the second point taken is the most important and I'd like to read that for the public's consumption. It says:

"The second defect in this resolution arises from City Council's attempt to overstep the legislative authority from which our municipal authorities are created. By their very nature, authorities take on the appearance of the municipal governments which they serve, for it is their purpose to ensure the orderly progression of municipal development that is beyond the scope of the local entity. However, the powers exercised by the authority are not derived from the local governments, but from the enabling legislation passed by the state legislature that created each specific authority.

Each authority has a specific public purpose. Such a narrow focus creates a unique set of problems that each must face. There are management contracts, labor contracts, federal funding streams and contract reviews that are peculiar to each authority. This is recognized by the state legislature, and that is why each authority is created under a specific municipal authorities act. We would not only be illegally pre-empting state legislative power by forcing a residency requirement on each of the authorities, we would also be compromising the integrity of self-governance that is essential for their very purpose."

I think that very clearly says our act initially was illegal and I want to point out again that if we had our own attorney maybe we could circumvent these types of action in the future.

I think what's real important is that the Mayor points out here in his veto is that of the six authorities questioned all have either adopted residency requirement or are in the process of

developing a residency policy.

I can see what Mr. Ferlo is saying with a new administration or with new directors, this policy may come into question. However, I would like to remind Council that City Council has the final prerogative on the approving of new directors or members of the authorities. —

**Mr. Ferlo:**

No we don't.

**Mr. Coyne:**

If the Mayor appoints a new Director, the Director does come before Council. Am I mistaken?

**The Chair, Pro tem:**

You're mistaken.

**Mr. Coyne:**

Well then the new members of the board come before Council; am I correct, Mr. President?

**The Chair, Pro tem:**

It depends on what board.

**Mr. Coyne:**

Well, I think what we need to think of is that the Mayor, whoever the Mayor may be in the future, whether it be any other politician, as Mr. Ferlo has alluded to, or anyone, will take into consideration the welfare of the City first and they would get a commitment from the Directors that a residency policy would be upheld.

Finally, I think that taking the position of going to court is going to cost the City regardless of whether we get

attorneys who are going to do it for free. There are going to be some costs that are taken from the City. And I think in a time when we're trying to cut back on spending that it's something we really need to look at.

So, in good conscience, although I did endorse this bill when it first came, I wish we would have had these legal opinions before us ahead of time and after reading this today and consulting with some other attorneys, I cannot in good conscience vote to override the veto. Thank you.

**Mr. DePasquale:**

I just want to say, Mr. President, that I'm going to vote to override the veto and I think that Mr. Ferlo said it all. And in light of what Mr. Ferlo said, I think I should go on record as saying the veto of the Mayor really puzzled me.

**Mr. Wagner:**

Mr. President and members of Council, earlier Councilwoman Madoff had an excellent resolution supporting pay equity. To some degree we're talking about employment equity here in the City of Pittsburgh for blacks, for whites, for males, for females, to give all the people in the City of Pittsburgh a greater opportunity to work for authorities that are based within the City of Pittsburgh. That's one of the reasons why I support overriding the veto of the Mayor.

A couple other reasons come to mind. The most important problem in the City of Pittsburgh, obviously, is the lack of employment. There's not a day that goes by that someone doesn't call my office, doesn't stop me on the street, doesn't make some request to assist them in employment. That still is the number one priority in the City of Pittsburgh and

if we can provide a few extra jobs within our authorities by requiring that the authorities hire City residents, I believe we should do that.

There really is no legal issue here, as has been presented, if all the authorities hire City residents. That's the important point to remember here. There is no conflict between Council and the Administration as is suggested, as long as they follow the intent of the original resolution which is to hire City residents. I might further say that this does not restrict an authority from hiring someone that lives outside the City or in another City but the first day of employment working for that authority, they must live within the City of Pittsburgh. That's really the intent here behind Councilman Ferlo's original resolution, to maintain our tax base and give people a greater opportunity for employment within the City of Pittsburgh.

Councilman Coyne referred earlier to we have some control over the authority. About two years ago when Council was in a dispute over who was to be appointed to the Urban Redevelopment Authority, a ruling came down from the Solicitor that it doesn't matter whether or not Council concurs with the Administration. The Mayor's appointee serves on the authority. And that was a ruling by our Solicitor that was given to this Council. In essence, what it said was, that name never really has to come in front of Council and the person can still serve on the authority. So, therefore, we have very few checks and balances on authorities unless we sit individually on the authorities or pass a resolution similar to the one proposed by Councilman Ferlo.

For that reason, for all those reasons I should say, I support a motion to override the veto.

**Michelle Madoff:**

I have a real problem. I think it's really a sad day for the City that for years I tried to get legal counsel for this body, to have an attorney who can advise us on what is fact and what is fiction. I realize there could be a lot of arguments saying, well, one attorney will give you one opinion and another will give you another opinion. But if you have sufficient time to sit down and look at the law itself, you get some clarifying information that helps you in voting so that you don't vote in a vacuum.

As I read this letter from Mr. Pellegrini, there are several issues that are very unclear to me. I ask respectfully that he be allowed to come here before this body, and if one person says no, he can't come. Mr. Ben Woods, you were saying you won't allow him to come; is that correct?

**The Chair, Pro tem:**

That's correct.

**Michelle Madoff:**

And this has happened before. We had a hearing the other day, we had a post agenda because eight members of Council wanted to hear from the Administration and Mr. Woods again decided that he doesn't. I think we need to look at that rule and have a majority decide whether someone will come to Council.

The things that I'm very confused by is that in the second paragraph, counsel to the Administration, and basically, although Mr. Dan Pellegrini is counsel to the Administration and supposedly to this body as well, it's difficult to serve two masters. But he says, and I have no reason to doubt him, and this is the Mayor's letter, "I am

advised by the City Solicitor that consistent with my powers and duties as set forth in the City Charter, I must veto this legislation because it is legally defective."

And then there's another statement, another paragraph that says, "First by directing that warrants not be countersigned by the Mayor and the City Controller, Council has placed itself in the position of modifying the terms and conditions of the City's contracts with the various authorities. Under the terms and conditions of these contracts, the various authorities in the City of Pittsburgh have certain rights and responsibilities that are owed to each other. By ordering me not to sign, and the City Controller not to countersign, any warrants with these authorities solely for the lack of residency requirements will constitute a serious breach of the agreement."

Well, Dan isn't here for me to ask him the question which any normal relatively intelligent person would want to know. What has that got to do with this Council saying we don't want people to be on boards and commissions that are not City residents? What has that got to do with tying the hands of the Mayor from being able to vote on the other aspects of contracts?

I talked to a couple of attorneys that tell me that the legislation before us is legal. There are attorneys saying it isn't legal. This body ought to be ashamed of itself because you don't have your own legal counsel. So we're forced to vote in a vacuum all the time. And then those of you who didn't vote for a legal counsel say, "Well, whatever their position is that day". They justify it.

It seems to me that I have taken a position before this bill was introduced by Mr. Ferlo. But I had suggested, I've

written letters and there's a documented trail, that I wrote to, and I also met with, the Stadium Authority. I believe they came to a post agenda here in Council. Do you recall that, Mr. Woods? We had the Stadium Authority here and their lawyers. I was concerned that so many new people were being hired at the Stadium that were not City residents. Certainly that's a place to give jobs to City residents. Nobody supported me from this Council to say that was wrong, and it is wrong.

The greatest argument for overriding the Mayor's veto is that Alcosan and the Stadium, as two glaring examples, have been areas where non-City residents can be hired. Alcosan has certainly been a breeding ground for patronage. I am sure that all the authorities are breeding grounds for patronage. This body has not been able to get the City Controller to do audits on several authorities I would like to see audited and, of course, from a very personal perspective, and I speak for myself, I hope I speak for other caring people, that having a County Controller as the City Democratic Chairman and his firm working on bond issues as underwriter counsel to the tune of \$1 billion, certainly does not say that these authorities who have, according to the Mayor, autonomy, they're autonomous bodies, I say, autonomous, B.S. They can't be autonomous because they have to be responsible to somebody.

And I believe that since there is nobody here to answer my questions since we don't have our own legal counsel, I am in the position of having to make what I believe is an ethical, moral decision, and that is that I'm going to have to vote to override the Mayor's veto.

Earlier today when I read this document, it seemed to me that there

was a lot of validity to it. But since checking on and thinking it through a little further, I know I'm going to disappoint the Administration. I hope that we can disagree without being disagreeable. I believe that we have to override the Mayor's veto so that we can have further dialogue and hope that the bill will come up again in an amended form so that we can achieve what the Mayor wants. The Mayor doesn't want people hired who are non-City residents, but I think he's being told that he cannot do what he wants by his Law Department. And I think that the Mayor and this City Council are in full agreement as to what is ethically and morally correct. I am not a lawyer yet; I've got my degree by osmosis. I got the Liberty Bell Award from the Bar Association in '72 but I don't think I could pass the Bar, and I don't drink. I don't mean to be funny because this is a serious issue but in my earlier discussions with the Administration today, I was inclined to support them and with further reflection, I feel that I cannot.

**The Chair, Pro tem:**

I also am going to vote to override the veto. I believe that some of the deficiencies that are discussed in the Mayor's letter we can correct by amendments. If we don't override now, this bill will be dead for two years. It does not affect any present employee in any authority; their jobs are secure. And I believe that we owe it, this Council owes it, to the people of this City to assure any future jobs, whether it be working for the City of Pittsburgh or any authority that we control, we owe it to them that they get first turn at those jobs.

If you're voting to override, vote yes. If you're voting not to override, vote no.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Michelle Madoff:**

Point of Order. Can we find out what is the intention of the Administration and how can we resolve this in an amicable way? It's time we stopped having an adversary position with the Administration. I believe, as I said earlier, the Mayor supports the concept of the bill; we need to figure out how to work it out.

**The Chair, Pro tem:**

I believe Mr. Ferlo is going to work with him, get some amendments in here, and we can do that.

**Mr. Lyons:**

Mr. President, I think that by overriding the Mayor's veto here, we put him in a better position to come back and ask for amendments to the bill. I think that doesn't handcuff him.

**The Chair, Pro tem:**

I agree with you.

#### REPORTS OF COMMITTEES

**Mr. Wagner for Mr. Pollock presented**

Bill No. 693

Report of the Committee on Finance for April 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 590

A Resolution entitled, "Resolution providing for the issuance of a \$1,256.63 warrant in favor of John B. Acierno in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

**The Chair, Pro tem:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 591

A Resolution entitled, "Resolution transferring \$10,000.00 from Code Account No. 1022 (102202) Salaries, Regular Employees to Code Account No. 1022-1 (102210) Premium Pay."

Which was read.

Also,

Bill No. 592

A Resolution entitled, "Resolution amending Resolution No. 620, part of Item 1, approved July 16, 1986, which authorized the sale of property in the 16th Ward, being a vacant lot, located at 2706 Niles Street, designated as Block 13-H, Lot 38 to Timothy C. Hughes and Rita M. Hughes, his wife."

Which was read.

**The Chair, Pro tem:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none



And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 597

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Granville Associates, Inc., 600 Logan Street, Carnegie, PA 15106, in the amount of \$1,722.12 in payment for the filing system furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferio      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Woods presented

Bill No. 694

Report of the Committee on Public Works for April 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 602

A Resolution entitled, "Resolution vacating an Unnamed Way between Lakewood Avenue and Werder Street in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 603

A Resolution entitled, "Resolution vacating a portion of Hassler Street between Wymore Street and Weston Way in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 604

A Resolution entitled, "Resolution vacating Mossrose Way between Flute Way and Groveland Avenue in the 32nd Ward of the City of Pittsburgh."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 695

Report of the Committee on Planning, Housing and Development for April 27, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 601

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lutheran Service Society for the furnishing of professional services in connection with their U.S.D.A. Commodity Distribution to the needy, for the benefit of the residents of the City of Pittsburgh during 1988 and providing for the payment of the cost which is not to exceed \$35,000.00, and is chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, in the Department of City Planning."

—(SPONSORED BY MR. WOODS)

Which was read.

**Michelle Madoff:**

On Bill 601, Mr. President, we're talking about the distribution of cheese and butter to indigents and we're talking about \$35,000. And while I agree that we need checks and balances and everybody that comes before us should be able to substantiate what the money is going to be used for. That's our responsibility. But I think that zeroing in, and I wish Mr. Pollock were here because I have an enormous respect for him and I think that his intentions are very honorable, but zeroing in on the indigents and the small grants that we give to groups to make the City a better community, does not anywhere approach the complete waste, total waste, that we see in capital improvements on contracts that we exceed on the monies that are spent in overrides, on contracts we go out on where the estimated costs are \$3 million and they go out at \$4 million, on hiring consultants to tell us how to do roofs and sidewalks. We're talking about \$5 million or \$6 million. If we want to save money, that's the place to save the money. We need to think about the millions that have gone into the Zoo, the Aviary and the Conservatory, and three quarters of the people that use them are non-City residents. Do you want to save some money? Do you want to help City resident? Give the Zoo to the County. But certainly, let's not zero in on those least able to defend themselves, number one; and number two, I think that a community is measured by how it treats its senior citizens, its children and those that can't help themselves in time of need.

Again, I support Mr. Pollock on the fact that he is the Finance Chairman; he should at least see the documentation. He's perfectly within his legal rights and I think he's really in the hot seat if anything should be wrong. But I certainly think it is wrong to use this as

an example of where we need to cut.

**Mr. Ferlo:**

Mr. Woods, on Bill 601, I think it's extremely important to support this expenditure of \$35,000 to Lutheran Service Society. Quite frankly, \$35,000 will enable us to spend or receive hundreds of thousands of dollars in commodities such as cheese and butter that otherwise would be sitting in warehouses. This is an organization that has at least a decade long history, not only in the delivery and coordination of this particular service but countless other social service kinds of activities. They have a long standing track record in the community.

I wish that Mr. Pollock were here today because I wanted to address what I felt was very irresponsible comments in the newspaper regarding not only this agency but the process of financial overview which I think he's total misbased. Since January 4th I have not heard Mr. Pollock, as Finance Chairman, one time scrutinize or call into question an expenditure of the Administration, not one time. And rather than read off the litany of questions that I've raised from Gascard to out of town travel, I hope that Mr. Pollock, as we go towards the end of the year, will become much more focused in on what his responsibilities are as Finance Chairman and not to make ridiculous attacks on an important social service agency.

**Mr. Lyons:**

Mr. President, I think on last Wednesday you gave a very comprehensive report for the \$35,000 in which the Lutheran Home had been passed up and they didn't get any funding. Certainly, we must deal with the people of our City who are out in the wilderness with no food, no shelter. And

I think this is a very Christian way and a very humane way to answer some of their cries. Certainly, \$35,000 isn't much money but it will show our intent and very possibly there may be some organizations looking in and will supplement this money.

**Mr. Wagner:**

Mr. President and members of Council, I also support Bill 601 and I just briefly want to say that one of the best programs ever initiated by the Federal Government is cheese and butter. It's really Washington entering the home and helping people that need help. For us not to allocate these dollars, we would be very foolish. We would not permit the cheese and butter to get out to the point of distribution. For that reason, we must move forward. If we didn't, we would be biting off our nose to spite our face. I firmly believe we should approve this allocation.

**Michelle Madoff:**

I realize I spoke on the subject one but I think I need to make a point again, with your indulgence. I don't think anybody here is going to vote against this bill; we all support it on a humanitarian basis. But I think Mr. Pollock has a point. I would like to see at some point in the near future how the \$35,000 is going to be spent because if, for any reason, it's misspent, it's on the heads of this Council. And I make that in the form of a request. Mr. Perry, would you please obtain for me --

**The Chair, Pro tem:**

You don't have to do that; they're going to send it.

**Michelle Madoff:**

Mr. Perry, would you please obtain

for me a breakdown of how the Lutheran Association plans to spend the \$35,000? We should have had that before the vote. And in that respect, Mr. Pollock is 1000 percent correct.

**The Chair, Pro tem:**

I'd just like to say, I've been involved in this program since its conception; I believe in 1982 we started this. We built up a network of over 50 volunteers to go over on a Saturday, we're there at 7:00 in the morning and we do 27 neighborhoods. We do all of North Side, West End, Sheraden, Banksville, all the 20th Ward, 28th Ward, and all the seven wards in the North Side. We have 50 volunteers that help me; many of them firemen, one of them sitting here in the audience here today, my family, friends, many people that work here in Council, John Mascio, Pete Vaughn, Al D'Alessandro, Jerry Cavalovitch and many people that work for the Housing Authority. I'm grateful to them; they give up their time, they spend their own money, I spend my own money for gas in these vehicles, for lunches and different other items.

I'm disturbed with Mr. Pollock. I think he has his priorities out of order. Every time we make a distribution, it costs \$20,000. That's four a year; so that's \$80,000. And that's just for City residents. So, \$35,000 isn't covering even two distributions. The rest of it they get from themselves, Lutheran Services donates it themselves out of their Christmas fund. The others come from the State and Federal Government.

The group that I work with alone, just that one group that do those 27 neighborhoods, we distributed 180,000 pounds of commodities in one day, in a matter of hours. That's just one-third of the City.

And now for the breakdown; \$9,600 goes for transportation, that's leasing five vehicles, ten laborers and drivers. We don't use them in our neighborhoods because we do it ourselves but other neighborhoods don't have that. \$2,000 goes to disbursements, that's people that pay out of their own pocket that Lutheran Services gives them back. \$2,700 goes to the Administration, and that is within the guidelines of any non-profit organization, that's 28 percent of the money. And \$2,300 goes to storage for the commodities and opening the place up on Saturday. The other 35 goes for telephone, travel, postage and printing, and you all know what it costs to get something printed in the newspapers. Every time that there's a site open they tell you what time it will be there, what day that that particular community is going to distribute the commodities.

So, I'm very proud to be involved in this. I know Mr. Wagner is involved in his neighborhood. Mr. Givens used to do it in his neighborhood and I do it in 27 neighborhoods. And I'm going to keep doing it as long as we get the commodities from the federal government. And \$35,000 out of \$80,000 to help the senior citizens who are truly needy in this City is a very small amount to pay. In fact, Ms. Madoff, I heard you time and time again say that some people in the City are eating dog food. Well, every time we make a distribution, that means somebody doesn't have to do that.

**Michelle Madoff:**

Mr. Woods, again, I think all of us support you and applaud you for what you've done. I don't think that you will disagree, though, that the figures you just gave us today should have been there before. In all fairness, isn't that so?

**The Chair, Pro tem:**

I disagree with the approach Mr. Pollock took.

**Michelle Madoff:**

I'm not talking about personalities; I'm talking about checks and balances.

**The Chair, Pro tem:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 696

Report of the Committee on Engineering and Construction for April 27, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 583

A Resolution entitled, "Resolution Repealing Resolution No. 367, effective April 23, 1985, entitled: 'Providing for a Contract or Contracts for the Construction of Mountain Road Extension; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 584

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for various Stadium Traffic Improvements; and providing for the payment of the cost thereof."

Which was read.

**The Chair, Pro tem:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Ferlo:**

Just very briefly, I read an article in the paper this morning concerning the paramedics who, I believe in terms of advocacy, over the weekend to address the issue of increased overtime, something which is plaguing the people that currently are on the payroll, were wearing red ribbons as sort of an advocacy statement and a protest statement.

I hope that there's not a situation where these individuals are going to be reprimanded just because they sought to address and bring to the public and to the Administration's attention a concern that the have.

I just want to dovetail in that same discussion relative to overtime, it's certainly a problem that's plaguing the 911 dispatchers. Recently I think Council became aware that there is the investigation by the Pennsylvania Emergency Management Agency of the 911 system. I just want to state at this time that I hope that City Council, either as a body or through our Chairman of Public Safety, Mr. Wagner, will in some way be a part of this investigation. And if I could address Mr. Wagner, I was hoping that he might be willing or could possibly shed some light on this issue to Council, if he chooses to.

**Mr. Wagner:**

Members of Council, I have spoken with Director Cannon about the 911 situation. He has spoken with the people in Harrisburg they have told him that they will be in Pittsburgh some time within the next couple weeks. They have been instructed by the makers of that bill in Harrisburg to come in to Pittsburgh and take a look at 911 due to

the problems that have existed in the past.

Director Cannon indicated that he would inform me of the date and time. As of this date, he has not been back in touch with me so I can assume that there has not yet been a scheduled date and place. When I find that out, I will let all of you know of it.

I am also interested in knowing what transpires at that meeting. I believe that some improvements have been made at 911, possibly not enough, but I think that any dialogue on the issue that is done in a very, very objective way can be healthy. I would hope, thought, that it's not in any way leaning towards political or subjective opinions and I would hope to keep it from ending up being a discussion of that type.

So, I will be monitoring it and I will keep you abreast of what happens.

**Mr. Ferlo:**

Thank you.

**Mr. DePasquale** moved to excuse Mr. Pollock and Mrs. Masloff for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to approve the Minutes of Monday, April 4, 1988 and Monday, April 11, 1988.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourns<sup>1</sup>

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, May 16, 1988

No. 19

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, May 16, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### Mr. Wagner:

I move to give the President Pro tem the full powers of the Presidency of Council.

Mr. Lyons seconded the motion.

#### Michelle Madoff:

Discussion. Mr. President, it is my understanding that in the ruling by the Law Department that the President of Council is also the Mayor and vested in her is the ability to determine what committees should be designated and I don't think anything has changed until we have a vote on that. I will abide by the legal opinion which, I believe Mr. Pellegrini states in one paragraph that Mayor Masloff has abdicated and is using separation of powers, to let Council govern itself.

Now, I don't know whether that is legally correct or not legally correct. There may be someone who wishes to pursue it but I think that in order to pursue what Mr. Wagner has designated, I guess you're going to call for a vote.

I would like to point out that the rules of Council are very explicit; the law on the issue is very explicit. I don't believe that the President Pro tem has the power to make the different decisions, but, as I say, I will abide by them. And I'd like to keep in mind that as I came in today, on every station, on every news broadcast every ten minutes it said that Council is going to be disorderly, a circus and a zoo, and in honor of Dick's memory, I would like to ask all of us to conduct ourselves as ladies and gentlemen. Thank you.

#### Mr. DePasquale:

Mr. President, from April of 1977 until January of 1978 I served as

President Pro tem. I was informed by the Law Department and my interpretation of the Home Rule Charter was that the President Pro tem had all the powers of the President of Council other than the official title. There was never an occasion where I made any changes so there was never any reason to question it or to fight it or whatever. But I did serve for those nine months and I was under the impression that I had all the powers of a President of Council.

**Mr. Pollock:**

Unless I'm mistaken, this Council as always abided by the legal opinion of our Solicitor. Our Solicitor has stated that the Council President remain Sophie Masloff with full powers to exercise the powers of the Council presidency; the only ones that she does not have are the ones that she relinquishes. I have not heard that she has relinquished the power; in fact, I don't know what specific power she has relinquished. So, until such time as she has stated what powers she has relinquished, this Council does not have the power or the authority or the legality to put power in any other individual other than the powers that she has advocated.

Accordingly, I think this motion is out of order, as out of order as if this Council made a motion to declare war on O'Hara Township. It would be just as illegal and as fallacious and ridiculous. It's a totally illegal motion. The opinion on the Solicitor has always bound this Council and, accordingly, I would say that this motion is totally out of order.

**Mr. Ferlo:**

I think it's very clear at 8:30 in the morning when Council President Sophie Masloff assumed the duties of the Office of Mayor, that with that she assumed certain duties and rights and

responsibilities. No one would question that. Certainly it was totally necessary and appropriate in order for this City to carry on and conduct itself accordingly. I would suggest that certainly this City Council, as a separate branch of government, the legislative branch, needs to carry on and proceed forward with the work of the City. To do that, we need an elected leadership. Fortunately for our City, Mr. Pellegrini was not one of our founding fathers; otherwise, we probably would have a pretty chaotic interpretation of our Constitution and a clear delineation and separation of powers, because I believe in his opinion, he has suggested a clear un-American usurpation of powers. I think it's clear that Council is a separate and legislative branch. I think it's also clear under Section 308 of our Home Rule Charter which clearly prohibits a member of Council from holding a separate office.

With that in mind, I think it's important that we go forward and continue to carry on the activities of our Council and in order to do that, quite frankly, we have to have established leadership. Thank you.

**Mr. Coyne:**

Mr. President, first of all, I'd like to dispute Mr. Ferlo's comments. In Section 306 of the Charter it says that the President of Council shall serve as Mayor. It doesn't say that the President of Council becomes Mayor or gives up any powers or responsibilities as the President of Council.

But, I would have a question I'd like to address to the Parliamentarian. That is, this motion seems to be a rule change. Wouldn't we have to go through the normal procedure of a rule change and have it in writing rather than just have something brought up in the form of



a motion as it is right now?

**The Chair:**

The Parliamentarian can't rule on that; the City Solicitor is the only one that can rule on whether it is a rule change or isn't a rule change.

**Mr. Wagner:**

Mr. Woods and members of Council, again, I am the maker of the motion and I would like to briefly explain the motion. The motion was to give the President Pro tem the full powers of the Presidency of Council. The motion is quite similar in action to what our now Mayor, Sophie Masloff, is. She is not the Mayor; she is the acting Mayor with the full powers of the Mayor. I believe this legislative body has the responsibility to move forward with stability and direction and in order for it to do that, it must have direction, it must have someone who has the full powers of the Presidency of Council. I think the logical person for that is the President Pro tem who is Mr. Woods.

**Mr. Pollock:**

As I stated, it's an illegal motion and I won't be voting for it, but I've been informed by two of my colleagues that the only reason and the only way that they would vote for this motion would be if the President Pro tem assured them that he would make no changes in any Committee assignments. I would like the President Pro tem to address that issue since he has given his word to two other members of Council.

**The Chair:**

Please call the roll.

**Mr. Coyne:**

I would have to abstain on this vote; I feel it's an illegal vote.

**Mr. Lyons:**

I vote I with the understanding that there be no immediate change in Chairmanships.

**Mr. Pollock:**

I abstain because this is an illegal motion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 1

(MICHELLE MADOFF VOTING NO)

(MR. COYNE AND MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

**Mr. Coyne:**

Mr. President, Point of Order. Now that you have all the powers and everything of President of Council, is it in order to vote for a President Pro tem?

**The Chair:**

I'll appoint someone. I'm still President Pro tem.

**Mr. Coyne:**

We don't get to vote on somebody?

**The Chair:**

No. I'll appoint someone when I'm not going to be here.

**Mr. Coyne:**

Is that in your powers?

**The Chair:**

Yes.

#### PRESENTATIONS

**Mr. Coyne, Mr. DePasquale and Mr. Wagner present**

No. 754 WHEREAS, May 21, 1988 marks the thirty-ninth Anniversary of Armed Forces Day, a day when Americans everywhere pay tribute to the men and women who comprise our nation's military forces; and

WHEREAS, whether on the battlefield or while keeping peace through vigilance and readiness, the members of the Armed Forces have displayed discipline, courage and commitment that has made this nation the leader of the free world; and

WHEREAS, members of the Armed Forces feel a special joy and pride in the important role they fulfill in preserving our American way of life and with their dedication and continued support of fellow Americans, we are confident that our children's grandchildren will be

enjoying the same love of liberty and same strong drive to remain free.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, proclaims the day of May 21, 1988 as ARMED FORCES DAY in the City of Pittsburgh as a tribute to the 39th Anniversary of Armed Forces Day.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

I wonder if Colonel Robert T. Hordor from the Army would come up please; from the Marine Corps, Captain Murphy; from the Air Force, Lieutenant Colonel Roman N. Carter; Navy Commander Larry Donns; and from the Coast Guard, Quartermaster Chief Wilton T. Hart.

Before we hear from these gentlemen, I would like a few words from two co-Councilmen who sponsored this bill with me, former Marines like myself. I personally served in World War II; I guess that's the old war now. And my colleagues Coyne and Wagner were in the Vietnam era.

**Mr. Coyne:**

I would like to commend the men and women of the United States Armed Services for doing a fine job. Most of the time you don't notice them until it's a very difficult experience that the nation is going through and I'd just like to thank them for their service.

**Mr. Wagner:**

I also would like to thank all of you for being here today. It's important to note that the City of Pittsburgh and the whole region in Western Pennsylvania is one of the most productive regions in the country for people in the Armed Forces. For that reason, I think it's important that we all support this upcoming day. Thank you.

**Colonel Horder:**

On behalf of the Army soldiers and civilians in the Pittsburgh area, I accept the resolution with pleasure. It's just one of the neat things that makes Pittsburgh Number One.

**Captain Murphy:**

On behalf of Major Everhardt, the Commanding Officer of the Marines in the area, I'd like to thank our three former Marines who have gone on to continue their great service, and other members of Council here for taking the time to recognize us. Thank you.

**Colonel Carter:**

On behalf of the Air Force, I would also like to thank the great City of Pittsburgh for allowing me this opportunity to say thank you for all the support that you've given our great country. We're truly honored to serve you. Thank you.

**Commander Donns:**

On behalf of the Navy, I'd like to emphasize that the Western Pennsylvania area has been very supportive of the Navy in almost every issue, most recently in the namesake submarine, the U.S.S. Pennsylvania which was christened on the 23rd of April and joins other states having a namesake submarine as

well.

The U.S.S. Pittsburgh is currently serving and is doing well as the namesake of the City whom all of you have supported enthusiastically in the past. Thank you.

**Quartermaster Chief Hart:**

On behalf of the Coast Guard, I'd like to thank you very much. It's an honor.

**Mr. Ferlo:**

I'd like Bob Braun to come up from PAJE, Pennsylvania Alliance for Jobs and Energy.

**Mr. Ferlo presents**

No. 755 WHEREAS, poverty and marginal employment are pervasive and energy costs remain a burden on low income households; and

WHEREAS, in 1986, Congress substantially reduced the funding for the Low Income Home Energy Assistance Program (LIHEAP) from \$2.1 billion to \$1.8 billion; and

WHEREAS, last year, Congress again slashed LIHEAP funds another 16 percent to \$1.5 billion, placing additional millions of Americans at risk to meet their basic needs for warm shelter; and

WHEREAS, the majority of oil overcharge funds used to offset LIHEAP funding cuts in the past have been expended and a reliance on such funds will create a considerable shortfall in the level of energy assistance funds available in the future; and

WHEREAS, the needs of the poor continue to increase at a time when the resources available to alleviate those

desperate conditions are declining; and

WHEREAS, LIHEAP provides for the vital energy needs of low income families and senior citizens, and distributes that cost as a basic social responsibility of all Americans.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Congress to restore the annual funding for LIHEAP to the range of \$2 billion to meet the long term energy needs of disadvantaged Americans. This level of funding is modest and fiscally responsible. Any less puts an excessive economic burden on those who can least afford it.

**Mr. Ferlo** moved to adopt the resolution.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Ferlo**

At this time, I'd like to introduce Bob Braun who works for PAJE, Pennsylvania Alliance for Jobs and Energy. Bob is one of the people that works all day long with some other staff people on a daily basis assisting low-income and elderly other folks in the City who are in need of energy assistance. I'd like him to just speak a little bit about the current program and how important it is that this program be restored with funding.

**Mr. Braun:**

Thank you. Thanks for the opportunity to speak to Council on this important issue. PAJE has what is called the Utility Service Advocacy Project and since 1978 we have assisted and counseled over 10,000 individuals in the area who are having problems with the utilities. The situation is not getting any

better; the rates are going up and funds, unfortunately, are being cut.

We take applications for the program at our office along with Dollar Energy Fund and in the last several years, we've seen the funding levels from the federal government be reduced from \$2 billion to \$1.8, this past heating season to \$1.5 billion. This year the Administration in Washington is proposing a further cut to \$1.2 billion. What this means for individuals is a reduction in the benefit level, the individual grant amount that a household is eligible for during a heating season. That's been severely cut back recently where, in a lot of cases, it's not paying for a month's heating bill or even half a month's heating bill. We're asking Congress to restore it to the \$2 billion level.

Senators Heinz and Spector, Senator Spector is on the Senate Appropriations Committee which has a lot of influence and deals directly on the funding. We've met with him and the other Congresspeople from the Pennsylvania Delegation and they are very supportive and we just need to have them be out there and be very vocal on this issue. I think that this resolution and any other contacts or lobbying on the part of City representatives, representatives of City government, will go a long way to helping the people who really need this. Thanks.

**Mr. Pollock presents**

No. 756 WHEREAS, THE AMERICAN ASSOCIATION OF MUSEUMS is an organization which has been working since 1906 to establish and promote standards of excellence for the museum profession; and

WHEREAS, THE AMERICAN ASSOCIATION OF MUSEUMS holds

annual meetings in different cities throughout the United States and this year's meeting will be held in Pittsburgh with 3,000 participants expected to be in attendance; and

WHEREAS, the theme of the 1988 program will be "Renaissance: Museums as Bridges to Community Renewal"; and

WHEREAS, this national conference provides the opportunity to show Pittsburgh's unique cultural and economic resources and to further enhance its role as a potential major tourist market; and

WHEREAS, the Conference will be from June 3 through June 7, 1988 at the Vista International Hotel, with most daytime sessions taking place at the David L. Lawrence Convention Center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks and commends THE AMERICAN ASSOCIATION OF MUSEUMS for its time and dedication in helping Pittsburgh to explore new and innovative ways to enhance the historical value of its museums and the Council wishes the Association and the participants much success on the Conference; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares the week of June 3-7, 1988 as "MUSEUM WEEK IN PITTSBURGH".

Mr. Pollock moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Pollock:

Needless to say, it's very exciting

that more than 3,000 people have elected to come to our City at the beginning of June and I hope they will avail themselves of our many fine restaurants and attractions.

With me is Dean Root who is the President of the Greater Pittsburgh Museum Council to receive the resolution and say a few words.

Mr. Root:

Thank you very much, Council. On behalf of the more than 30 institutions which are members of the Greater Pittsburgh Museum Council, I want to express our appreciation. This proclamation will help us to host these people from all over the country, not only from the major institutions such as the Smithsonian and the great museums of the East Coast, but also the smaller organizations, the grass roots institutions in every small community around the country which will be represented here.

We believe very strongly, of course, that museums are part of a cultural engine, if you will, that helps to drive our country and our cities. We're very active in community affairs in all levels, not only economically but equally as important, we feel, as we are repositories, education centers, places that help us to understand not only our past but where we are at present and where we're going in the future.

So, if we place any value, as I think all of us do, on who we are, why we are what we are as a city, why Pittsburgh can be the Number One place to live in this country, why our communities have had problems in the past and how we can solve them, then we have to believe that the museums are vital in that effort. You're helping us very much through this proclamation; we want to help you in your efforts as well. Thank you.

**Mr. Wagner:**

Mr. President and members of Council, I'd like to ask the following people to please step forward for this resolution: Patrick McNamara, President of the F.O.P. Lodge No. 1; Dave McNutt, Chairman of the Memorial Week campaign for Police; John McMahon, Editor of the F.O.P. Police News; and Phyllis Carver who is head of the Ladies' Auxilliary of the F.O.P. Also, Helen Blakely please step forward.

**Mr. Wagner presents**

No. 757 WHEREAS, recognition of the risks and sacrifices made by police officers' originated in 1962 at the prompting of President John F. Kennedy when Congress set aside a special day in memory of law enforcement officers killed or disabled in the line of duty; and

WHEREAS, the purpose of this observance is to call upon the citizens to pay tribute to the brave police officers who, through their fortitude, dedication, and courage, have given their lives for the preservation of the public's safety, inspiring all of us to pause and reflect upon the dignity and value of human life; and

WHEREAS, this legislative body fully realizes that police work is an extremely hazardous profession, and has become increasingly more dangerous in recent years; and

WHEREAS, since 1898, 52 Pittsburgh Police Officers were killed while safeguarding the lives and property of our citizens, while 152 law enforcement officers nationwide died in the line of duty in 1987.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week

of May 15 through May 22, 1988 as POLICE MEMORIAL WEEK in the City of Pittsburgh in recognition of and tribute to the Pittsburgh Police Officers who have made the supreme sacrifice of their precious lives for the cause of justice.

**Mr. Wagner** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Members of Council, ladies and gentlemen, I indicated the seriousness of the situation. In 1986, Council did a similar resolution and we stated the number of officers nationwide that died in the line of duty. It was 61 officers. You just heard the number of officers that died in the line of duty in 1987; it went from 61 to 152. Obviously, there's a great concern there. I personally thinks that it ties in with the narcotics problem nationwide. As, as Patrick McNamara will tell you, there was a memorial celebration of which he and several others were in Washington yesterday, a national memorial celebration. We are having ours this coming Sunday at the Immaculate Conception Church in Bloomfield. It will begin with a parade at the Bloomfield Moose and proceed to the church where Bishop Wuerl, I understand, will be present. I'm sure Pat can tell us a lot more; I'd like to introduce the President of the F.O.P., Mr. Patrick McNamara.

**Mr. McNamara:**

Mr. President, Pro tem, Councilman Wagner and fellow Councilpersons, yesterday I attended the ceremony in Washington, D.C., and words cannot describe what I've seen of the

survivors of those police officers that were killed through 1987. There was a special seminar, a three-day seminar; ten of our police officers went up along with the Ladies' Auxilliary to participate in that ceremony.

When you heard the number 152, it's very shaking for 1987. But I took time out to look at the figures so far for 1988. We have 19 police officers killed in the line of duty across the United States so far this year and seven of those deaths involve drug-related incidents. It's leading the group. Of the 19 police officers killed in 1988 so far, 15 were firearms, three were rifles, and one was an officer run down with a motor vehicle. The position of a law enforcement officer here today is to be very serious out there; they have attacks upon them across the United States. Here in our City, our last death was in 1983, a narcotics officer, Norman Stewart.

This Sunday we'll be honoring our Police Officers in Allegheny County. We have 52 Pittsburgh Police Officers and 12 Allegheny County Officers from the Allegheny County Police, the Sherriff's, and the various Police offices surrounding this area which we will be honoring by a parade in Bloomfield starting at 9:30. We'll march to the Immaculate Conception Church and we will have survivors of those police officers there and then there's a breakfast following. It's a ceremony that words cannot describe when you see the relatives and the survivors and the little children that we witnessed in Washington, D.C.

I'd like to present to you now Dave McNutt, the Chairman of the Memorial Week that we're having here in Pittsburgh. Following him will be Helen Blakely, the President of our Ladies' Auxilliary who also was in Washington,

D.C. observing this event and participating in it.

**Mr. McNutt:**

Councilman Woods, Jack Wagner, Councilmen and Councilwoman, it's an honor to be here. As it has been said in the past, 152 officers died last year; that's about every 57 hours one officer's life has been taken. Many times it has been said, "Well, they get paid to do it; it's their job." I don't think it's anybody's job to be killed. I think it's time that we start looking at the death of a police officer as more than just a job. It's something that is very serious; a person's life has been taken, a family suffers. It still bothers me, yesterday, when I saw a woman walking down there carrying a baby with two children by her side. Her husband's life has been taken. Yes, our life is on the line, but when it's on the line and the ultimate is when death occurs, it affects all of us. Very few of us are out there and we are trying to protect life, limb and property. It is time that we take a very serious look at what is happening to our fellow police officers.

May 22nd at 9:30, we're going to line up to march to Immaculate Conception. Bishop Wuerl will greet us at the door with a solemn Mass. After Mass will be a breakfast with guest speakers. It's a very moving ceremony. I even hate to think of it but next year I could be one of the people that they're honoring and I have to look at it honestly in saying that my life is there and I hate to think what my wife and my family is going to go through. I thank you very much.

**Ms. Blakely:**

I'm President of the Ladies' Auxilliary and I'd like to introduce Phyllis Carver. She was State

President. My conductress, Mary Cahill and our head trustee, Mary Anne Burns.

This was my first trip up to Washington and it almost left me in tears because I am married to a policeman. I have children; I have grandchildren. What I saw up there really frightened me. It was not only one woman with a small child and several children tugging at her; it was many young women. Maybe the older women can pick up the pieces; I'm frightened for the young women because it is getting worse and worse. When you see 55 survivors just for 1987, it's frightening.

I ask you for more support. I thank you for all the support you have given us. Thank you.

**Mr. Wagner presents**

No. 758 WHEREAS, May 8-14, 1988 has been designated as "JUST SAY NO" week by President Reagan and Mrs. Nancy Reagan; and

WHEREAS, the purpose of the week is to focus on drug prevention education and to allow communities to publicly show their commitment to support the young people who DARE TO SAY NO; and

WHEREAS, locally, the week will be filled with many activities and will culminate on May 14th at 10:00 A.M. when the Chemical People Institute, the Pittsburgh Public Safety Department, West Penn AAA, the Pittsburgh Pirates, Pittsburgh Steelers, Shriners Club, Just Say No Clubs, Mothers Against Drunk Drivers (MADD), Students Against Drunk Drivers (SADD), High School Marching Bands, Boys Scouts, Girls Scouts and many others will join together in a march against drugs; and

WHEREAS, the Parade will begin

at the Civic Arena, travel down Fifth Avenue, and will finish at the vicinity of the Pittsburgh Children's Festival.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh wholeheartedly endorses and supports the efforts of all those involved with "JUST SAY NO" week and urges citizens of all ages to just say no to drugs; and

BE IT FURTHER RESOLVED, that the Mayor and Council ask people of all ages to come Downtown on Saturday, May 14, 1988 and join in the march against drugs.

Mr. Wagner moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

We had an interim approval last week and it was presented this past Saturday after the parade. Thank you.

**Mr. DePasquale presented**

No. 701 Resolution amending Resolution No. 678, effective August 11, 1986, as amended by Resolution No. 64, effective February 9, 1987, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection Services in connection with the Reconstruction of Grant Street, Phase II; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements, by naming the Consultants, and by increasing the



total project allocation by \$125,000.00 from \$150,000.00 to \$275,000.00, chargeable to and payable from the Grant Street Trust Fund.

Also,

No. 702 Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by transferring EC 86-04, Oranmore and Brintell, to the Department of Public Works, and adjusting the Summary Totals.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ferlo presented

No. 703 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in favor of Sentry Oil & Grease for the purchase of lubrication and oil dispensing equipment for use for the Department of General Services Automotive Garage Facilities, in the amount of \$16,500.00, payable from Capital Account 4-30-01-0001-86, (GS86-04), Miscellaneous Equipment, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 704 Resolution amending Resolution No. 932, effective October 27, 1986, entitled: "Providing for an Agreement or Agreements and/or a Contract or Contracts, or use of existing Agreements or Contracts, for the leasing

of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building," by increasing the authorized amount by \$210,000.00 from \$1,600,000.00 to \$1,810,000.00, chargeable to and payable from Capital Project Fund GS 86-06, Retrofit of Public Safety Building, Department of General Services.

Also,

No. 705 Resolution further amending Resolution No. 1283 of 1985, (amended by Resolution 929 effective October 27, 1986) entitled: Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program, by increasing a line item and by adjusting the Summary Totals. Project authorization is being increased (\$210,000.00) to cover the costs for relocating City Information Systems, City Courts and OPR, chargeable to Capital Project Fund GS 86-06, Retrofit to Public Safety Building, Department of General Services.

Also,

No. 706 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery of one (1) Hillside Slope Machine for the Department of General Services at a cost not to exceed \$26,000.00, chargeable to and payable from Code Account 4-30-01-0001-88 (GS 88-03), Miscellaneous Equipment for City Departments.

Also,

No. 707 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for

the purchase and delivery of Wheel Balance-Alignment Equipment, etc. for the Department of General Services at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 4-30-01-0001-87 (GS 87-03), Miscellaneous Equipment for City Departments.

Which were severally read and referred to the Committee on General Services.

Also,

No. 708 An Ordinance amending Title 10, Chapter 1013 of the Pittsburgh Code to allow public input into the Building Variance process. —  
(SPONSORED BY MR. FERLO)

Also,

No. 709 An Ordinance amending Title 10, Section 1002.01 (b) (4) to allow for union representation on the Board of Code Review. —(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Public Safety.

Mr. Lyons presented

No. 710 Resolution authorizing a grant with the Commonwealth of Pennsylvania, Department of Community Affairs in the amount of \$32,836.00 in connection with the Enterprise Zone Municipal Tax Exemption Program for the East Liberty Enterprise Zone; (\$31,324.00) and the North Side Enterprise Zone (\$1,512.00); execute a grant agreement with said department; and deposit said funds on receipt in the East Liberty Enterprise Zone Trust Fund, Index No. 251728.

Also,

No. 711 Resolution providing for

the execution of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Commonwealth, Department of Community Affairs Enterprise Zone Municipal Tax Exemption Program for the East Liberty Enterprise Zone (\$31,324.00) and for the North Side Enterprise Zone (\$1,512.00) and further providing for the payment of the costs thereof in an amount not to exceed \$32,836.00, chargeable to and payable from the East Liberty Enterprise Zone Trust Fund, Index No. 251728.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 712 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gerard J. Rooney for the sale of Block 14-C Lot 253 for \$500.00 — Residential Land Reserve Fund, 18th Ward. The redeveloper plans to rehabilitate the existing residential structure on this lot located at 933 Warrington Avenue. The redeveloper's address is 2028 Plainview Avenue, Pittsburgh, PA 15226.

Also,

No. 713 Resolution approving

execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 12 for \$18,400.00 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 — Homewood-South Project (COMMERCIAL REHABILITATION). The redeveloper plans to rehabilitate the five structures on this parcel located at 7219-7223 Kelly Street plus an adjacent structure located at 714 N. Homewood Avenue, which is currently owned by the redeveloper. The development will provide commercial business and office space. A parking lot will also be constructed on the parcel. Development costs are estimated to be \$271,000.00. The redeveloper's Minority/Women Business Enterprise Plan has been approved by the MWBE Committee. The redeveloper is a Pennsylvania non-profit corporation with an office 805 N. Homewood Avenue, Pgh., PA 15208. The officers are: George Carter, President; Wade Lipscomb, Secretary; Pamela Brown, Treasurer; and Mulugetta Birru, Executive Director.

Also,

No. 714 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Walter R. and Evelyn M. Nagel for the sale of Parcels 13 and 14 for \$1,500.00 in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24 — Broadhead-Fording Project (SIDEYARDS). The redevelopers own the adjacent residential structure and will use these parcels on Lassen Street as sideyard areas. The redevelopers address is R.D. #1, Butler, PA 16001.

Also,

No. 715 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rudyard K. & Claudette Chism for the sale of Parcel 45A for \$1,500.00 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARD). The redevelopers own the adjacent residential structure and will use these parcels on Lassen Street as sideyard areas. The redevelopers address is R.D. #1, Butler, PA 16001.

Also,

No. 716 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and WRS, Inc. for the sale of Parcels 7B, 7C and 7C-1 for \$68,280.00 in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24 (LANDSCAPING). The redeveloper recently purchased the former Armour meat packing plant and is in the process of relocating its motion picture and video laboratory from the Oakland area. These parcels are adjacent to the plant. The redeveloper will maintain the property primarily as a landscaped area with some recreational use by their employees as a possibility. The parcels contain approximately 15.657 acres and have severe soils problems. No sewer or electrical system is available except those to the building the redeveloper now owns. Access is also limited to the private road now owned by the redeveloper. WRS, Inc. is a Pennsylvania Corporation with an office at 210 Semple Street, Pittsburgh, PA 15213. The President is F. Jack Napor and the Secretary/Treasurer is Greg Thoams.

Also,

No. 717 Resolution providing for an Agreement with a Consultant to

provide historic preservation services to the Department of City Planning, at a cost not to exceed \$31,500.00, chargeable to and payable from Code Account 1103, Miscellaneous Services.

Also,

No. 718 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to provide computer consultant or consultants to provide computer consulting services related to the management of an existing R-base application for the management of the City's Permit Parking Program and development of new applications related to the Capital Budget, at a cost not to exceed \$20,000.00, chargeable to and payable from RPPP, Residential Parking Permit Program Trust Fund-\$10,000.00 and the 1987 URA Planning and Management (CP 87-03)-\$10,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 719 Resolution providing for the issuance of a \$6,283.80 warrant in favor of Royal Insurance, 330 Market Street, Philadelphia, PA 19106 in full settlement of claim for expenses at 110 Federal Street, Pittsburgh, PA 15212 due to a backup of sewage and water on or about November 16, 1984, payable from Code Account No. 46, Judgments.

Also,

No. 720 Resolution amending and supplementing Resolution No. 1092 of 1987, effective January 1, 1988 as amended entitled: "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year,

beginning January 1, 1988, by making certain additions and corrections.

Also,

No. 721 Resolution amending and supplementing Resolution No. 1093, of 1987, effective January 1, 1988 as amended entitled: "Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections.

Also,

No. 722 Resolution amending Resolution No. 140, effective March 16, 1988, entitled: "Providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Equipment for the Department of Personnel and Civil Service Commission and providing for the cost thereof," by increasing the amount of Resolution No. 140 by \$2,268.00 from \$35,000.00 to \$37,268.00, chargeable to and payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 723 Communication from Sophie Masloff, Mayor, City of Pittsburgh, requesting authorization for Deborah Liotus, Senior Budget Analyst, to attend the Third National Public Sector Productivity Conference and Workshops in New York, New York, June 7-10, 1988, at a cost not to exceed \$700.00, payable from Code Account No. 1017, Miscellaneous Services. The conference will focus on productive approaches to fiscal stress.

Also,

No. 724 Communication from Melanie Smith, Director of Personnel, requesting authorization for Dave Farley to present an oral presentation to the selection committee for the Youth Urban Services Corps Proposals, in Harrisburg, PA, May 11, 1988, at a cost not to exceed \$284.00, payable from the JTPA-1, Trust Fund.

**(PRIOR APPROVAL GRANTED)**

Also,

No. 725 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Terry Woodcock to attend the Training Conference "Readjusting Service to Change Times" at the State College Sheraton Hotel, State College, Pennsylvania, at a cost not to exceed \$220.00, payable from the JTPA-1, Trust Fund, federal funds. Workshops new directions in Public Relations recruitment & job development and new ideas for working with the private sector will be of help to us in the placement of older workers. Because the concept of the SPOC program is a single site service to welfare recipients we need to begin building a network with the Departments of Aging, Commerce, Education and others to develop programs for older workers who are on welfare. **(PRIOR APPROVAL GRANTED)**

Also,

No. 726 Communication from James Turner, Director, Department of Finance, requesting authorization for William Conner to attend the Government Finance Officers Association course on Money Market Management, in Chicago, Illinois, May 22-26, 1988, at a cost not to exceed \$950.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance. This seminar is designed for Governmental Investment

Officers and should prove extremely valuable to Mr. Conner in his position of Assistant Investment Officer, as one of his primary functions is investing City funds.

Also,

No. 727 Communication from James Turner, Director, Department of Finance, requesting authorization for Drew Dauer, William Gedman and Marion Wise to attend the Internal Auditing for Governments Seminar, in Philadelphia, PA, June 15-16, 1988, at a cost not to exceed \$1,950.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance. This seminar is conducted by the Government Finance Officers Association. The role of the internal auditing staff is important in providing an independent view of the operations of the department to management.

Also,

No. 728 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Pamela Peterson Johnson, Commissioner and Cheri Weinstein, Commission Representative II, Commission on Human Relations, to attend the Joint Regional FHAP/CHRB Training Conference, in Philadelphia, PA, June 7-10, 1988, at a cost not to exceed \$900.00, payable from the HUD/FHP Trust Fund. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 729 Resolution authorizing the transfer of \$32,371.00 from Code Account 1401, Miscellaneous Services to Code Account 1404, Supplies and Materials, Bureau of Administration;

\$4,600.00 from Code Account 1422, EMS Supplies and Materials to Code Account 1424, EMS Uniforms, Bureau of Emergency Medical Services; \$2,434.00 from Code Account 1448, Miscellaneous Services to Code Account 1449, Supplies and Materials; and \$2,250.00 from Code Account 1448, Miscellaneous Services to Code Account 1450, Equipment, Bureau of Police, Department of Public Safety. These transfers are necessary because of incorrect Budget appropriations in various Code Accounts for the Department of Public Safety.

Which was read and referred to the Committee on Finance.

Also,

No. 730 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Chief Robert Kennedy and Assistant Chief Douglas Garretson, Bureau of Emergency Medical Services, to attend the 11th Annual Emergency Health Services Conference to be held in Harrisburg, PA, June 10-12, 1988, at a cost not to exceed \$806.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. This annual conference is an educational event that brings together EMS personnel from across the Commonwealth. We are requesting permission to send two (2) representatives because the conference is divided into several different tracks that include Advanced Life Support, Ambulance Management, and Rescue. Special presentations of interest this year are: "Triage and Mass Casualty Scene Management", "Insurance Issues" and "Transplant Issues for Pre-hospital Care Providers."

Also,

No. 731 Communication from Glenn Cannon, Director, Department of

Public Safety, requesting authorization for Captain John Bauer, Bureau of Fire, Department of Public Safety, to attend the National Fire Academy, in Emmitsburg, Maryland, June 12-24, 1988, at a cost not to exceed \$183.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. The purpose of Captain Bauer attending this two in-depth course is to define successful methods for conducting legal fire investigations which may culminate in the prosecution of arson.

Also,

No. 732 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Firefighter Thomas Capozoli, Bureau of Fire, Department of Public Safety, to attend the National Fire Academy in Emmitsburg, Maryland, from May 22 through June 3, 1988, at a cost not to exceed \$183.00, chargeable to and payable from Code Account PSTA, Department of Public Safety. Permission is also requested for the use of a City vehicle. The purpose of Firefighter Capozoli attending this two in-depth course is to define successful methods for conducting legal fire investigations which may culminate in the prosecution of arson.  
(PRIOR APPROVAL GRANTED)

Also,

No. 733 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for EMS Training Assistants David Lacovey and Jack Glass, Bureau of Emergency Medical Services to attend the 1988 Pennsylvania Emergency Health Services Council Conference which will be held June 9-12, 1988, at the Harrisburg, Marriott Inn, Harrisburg, PA, at a cost not to exceed \$818.00, chargeable to and

payable from Code Account PSTA, Bureau of Emergency Medical Services, Department of Public Safety. Permission is also requested for the use of a City vehicle. Topics to be discussed are as follows: Pediatric Medical Emergencies, Packaging Of The Pediatric Trauma Patient and Pediatric IV Therapy Techniques.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Wagner for Mr. Woods presented**

No. 734 Resolution providing for an Agreement granting to Carnegie Mellon University the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon University in the 4th Ward of the City of Pittsburgh, vicinity of Forbes Street and Margaret Morrison Street.

Which was read and referred to the Committee on Public Works.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

No. 735 Resolution granting unto Dr. Shirley Y. Hill, 1739 Beechwood Boulevard, her successors and assigns, the privilege and license to construct, maintain and use, at her own cost and expense, a fence on a portion of the right-of-way of Forbes Avenue in the 14th Ward of the City of Pittsburgh.

Also,

No. 736 Resolution granting unto the Easter Seal Society, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a grade change and canopy over a portion of the sidewalk and roadway of Barkers Place and Fort Pitt Boulevard in the 1st Ward of the City of Pittsburgh.

Also,

No. 737 Resolution granting unto Mr. Robert Ish of 3404 Allendale Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an air-conditioning system over a portion of the sidewalk at 1318 Federal Street in the 25th Ward of the City of Pittsburgh.

Also,

No. 738 Resolution granting unto Mr. Edward Feth of 1721 Marcus Way, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a parking area on a portion of the unimproved right-of-way of Marcus Way in the 17th Ward of the City of Pittsburgh.

Also,

No. 739 Resolution authorizing and directing the Mayor and the Director of the Department of Public Works, for and on behalf of the City of Pittsburgh, to act as the sponsor for the stream improvements of the Wyman Run Tributary in the 32nd Ward of the City of Pittsburgh by the Pennsylvania Department of Environmental Resources.

Also,

No. 740 Resolution providing for a

Contract or Contracts, or the use of existing Contracts, for the purchase of Litter Receptacles at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1612-2, Equipment.

Also,

No. 741 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C., to attend the "Municipal Administration of Cable Television" seminar, in Madison, Wisconsin, June 15-16, 1988, at no cost to the City of Pittsburgh. The seminar will focus on the federal Cable Communications Policy Act of 1984 and its impact on both newer and older franchises.

Also,

No. 742 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Dante Pellegrini, City Solicitor and Brother Richard Emenecker, F.S.C. to attend a seminar entitled, "How Cities Can Regulate and Tax Communications Facilities", in Chicago, Illinois, June 8, 1988, at a cost not to exceed \$634.00, payable from the Community Communications Trust Fund. The purpose for their attendance is to become informed on the ways in which municipalities can regulate telecommunications facilities that use public right-of-ways and to explore how cities can impose taxes and fees for such uses.

Also,

No. 743 Communication from James Norman Walker, Director, Department of Environmental Services, requesting authorization for Darryl Mabrey and Robert Lewis to attend the

Governmental Refuse Collection Disposal Association International Solid Waste Exposition, in Baltimore, Maryland, August 22-25, 1988, at a cost not to exceed \$1,900.00, payable from Code Account No. 1181, Miscellaneous Services. At this Exposition they will discuss such items as municipal solid waste management, U.S. Federal landfill regulations, excluding hazardous waste from the municipal waste stream, recycling system and various views from Citizens' Groups about municipal solid waste management.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 744 An Ordinance amending Title Ten of the Pittsburgh Code by prohibiting the use of plastic pipe in duct work, pipe shafts, and electrical work.  
—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Public Safety.

The Chair (Pro tem) presented

No. 745 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of March 31, 1988.

Also,

No. 746 Petition from the residents of the City of Pittsburgh, requesting a public hearing with reference to repealing Resolution No. 185 entitled, "Nominating the South Side Pittsburgh Works, LTV Steel Corporation, to be a Historic Site under Section 1007 of the Pittsburgh Code. This petition is invalid in accordance with Section 320(a) and 320(b) of the



Home Rule Charter.

Also,

No. 747 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning Councilman Ferlo's legislation which would create an Auto Theft Trust Fund. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Also,

No. 748 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss amending the Pittsburgh Code, Title 4, Section 413.02, Paragraph B, by adding the following: "The Department of Public Works, upon written request of the affected property owners shall authorize the initial installation or replacement of sidewalks which service all major legislative routes within the City of Pittsburgh, but which are located outside of the downtown area with a dust-free asphalt surface." (This petition is invalid in accordance with Section 320 of the Home Rule Charter. Addresses were omitted from the petition).

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Pollock presented

Bill No. 749

Report of the Committee on Finance for May 4, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 616

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Institute in the amount of \$2,663.04 covering the final payment for the Renovations to the Founders Room and Continuing Education Office; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 631

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A & H Equipment Company to cover the cost of materials for manufacturing and installing neighborhood street signs."

Which was read.

Mr. Ferlo:

On Bill No. 631 concerning the expenditure of a little over \$7,000 for installation of neighborhood street signs, I'm voting for this. This is an expenditure that we've already incurred but I want to remind Council that this Wednesday there will be debate and dialogue on the expenditure of over \$1.5 million for the City street sign program. Thank you.

Mr. Wagner:

Mr. President and members of Council, I'd like my comments brought forward on that same bill, Bill No. 631, for the record.

(REMARKS ON FOLLOWING PAGES)

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Mr. Wagner:

Discussion. On Bill No. 631, this bill does tie in with the other bills I think indirectly and that's the reason why I thought we'd discuss all of them together.

Question about Bill No. 631. How do we determine that this company got the initial work on the signs?

Dir. Gaetano:

This all deals with the legislation that you yourself introduced last year pertaining to signs. You introduced legislation that all signs in the City of Pittsburgh have to be eliminated. The type of materials that we were testing and the size of the signs we did not have. A&H is the distributor for 3M Company in this particular area or state. The illuminating and the engineering grade signs, they're the ones that had it; we did not have it. It wasn't that we couldn't make them or do them. We can make any sign that there is over there right now. The fact of the matter is now we have all the equipment and we have purchased different types of engineering grade and high-intensity type grade to do these signs ourselves. So we are only trying to follow the piece of legislation that you introduced to see the intensity, the size of the sign, the reflectivity of the sign and to keep exactly in order for what you want.

Mr. Wagner:

Director, there are two separate issues here. My resolution back a year ago pertained to signs in general. What we are doing here with Bill No. 631 is paying a particular company for a test or some examples of model signs.

Dir. Gaetano:

Correct.

Mr. Wagner:

Why was this company chosen over other companies?

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Dir. Gaetano:

I have to go back and see how the contract was put out. They were the distributor that had high intensity. There's only one company basically that has high intensity.

Mr. Wagner:

When did they become a distributor for 3M Company?

Dir. Gaetano:

Two years ago.

Mr. Wagner:

Because they are the only company that distributes for 3M Company, does that mean they will probably be the successful company to get the award?

Dir. Gaetano:

No. Let me clarify the new contract very, very shortly. Since Councilman Ferlo doesn't have the proposals, I'd be happy to get him one.

The actual new contract that is going out Jack is going to be bid three different ways. It's going to be bid on both high intensity and engineering and grade materials. In the three ways that it will be bid, it will be bid where the company actually will make the sign, furnish the material and put it up. It will also be bid where they just make a sign and give it to me and put it up. It will also be bid that they will actually furnish only me material that I can put the signs up.

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA  
STENOTYPE REPORTER 1

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Mr. Gaetano:

We have actually started in the City of Pittsburgh with my own people in putting the new street signs up in areas where they are stolen or taken down already. But, see, there are three different ways they have to bid this new contract. As Councilman Ferlo said, it will be much easier, once you get the proposal, to understand it a lot more.

Mr. Wagner:

But why have we chosen this company over other companies?

Mr. Gaetano:

Strictly because they had the high intensity; that is the only reason.

Mr. Wagner:

If they are the only company that has the high intensity, will they get the award on the larger contract?

Mr. Gaetano:

That all depends on 3M Company, see, who their sub will be. 3M Company actually provides the materials. They can go to Joe Doe Company and give them the distributorship. I don't know the tie or the cause or contract that 3M has with its suppliers. I can't say that A & H will have the contract at all, that is up to 3M.

Mr. Wagner:

Director, the point I want to make, and I guess it is simple, is I don't want to see any company have an edge over other companies on bidding on these signs. If you could sit here and tell me, because they are the test market, they will not be involved in the bidding later, I would feel very comfortable.

Mr. Gaetano:

I can't say that.

Mr. Wagner:

Let me continue. I don't want to see a company have an edge over other companies because they have already manufactured some of these signs and they know what their cost is; therefore,

their bidding on the contract can be much -- they can sharpen their pencils much more on bidding on the contract than anyone else that would entertain bidding on it. Just let me continue.

I don't think we should be giving any company an edge on over a million dollar contract as we have here with this company, and that is my point. And I don't know, you are going to come back to this Council at a later time probably -- well, you won't, because you have that bill coming up for the larger contract which you are going to go out to bid on. And I would prefer not to see any company involved initially. I mean, this goes on. These companies know what they are doing, and they want an inside track. What we have done is given this company an inside track, and I don't think that is in the best interest of the City.

Mr. Gaetano:

I don't think we have given them an inside track, Jack. We had to go to a company that had the particular material to put it up to see what type of things we need. There are many, many companies capable.

The largest part of this contract, Jack, is not basically the material, it is actually the installation, putting it up and making the brackets. So there is no inside track. As to the brackets and things like that, we did that, they just supplied the material through 3M. The basic brackets and everything, we worked with them and we put them up and did that ourselves. We actually did most of installation all ourself. So there was no inside track for anything.

These contractors and the companies that bid on this particular contract are going to have to sharpen their pencil. The way I put it out, there are three or four different methods of them supplying it. Where A & H doesn't make the materials, 3M may want to come in or another company, Monsanto or whoever it is, and just bid the whole thing by themselves and say, "A & H, you are not part of the contract any more," or, "I can get somebody to install it much cheaper than you." That is something they deal with among themselves.

Mr. Wagner:

How much is the total contract?

Mr. Gaetano:

You have it on the next two portions of the legislation there. That is only \$7,000.00.

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Mr. Wagner:

Are you willing to exclude this company from the bidding process?

Mr. Gaetano:

I am not allowed to exclude any company from the bidding process.

Mr. Wagner:

I, in the future, do not want to see companies having an edge over other companies on major million dollar contracts. And I think by doing this initially we have done that, and that is what concerns me about this piece of legislation. It is a small amount, we are talking about \$7,100.00, but this company is now involved, is in on the front end and knows their cost, and that is not fair to all the companies out there that may become involved in this bidding process. That is the only point I want to make.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 637

A Resolution entitled, "Resolution transferring the sum of \$49,500.00 from Code Account 10 Accounts Payable Prior Years to Code Account 1103 the amount of \$42,500.00; Code Account 1100 the amount of \$5,000.00; and Code Account 1838 the amount of \$2,000.00."

—(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 638

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 16th Ward, City of Pittsburgh, designated as Block and Lot 13-C-258 to Ronald J. Hays for the sum of \$300.00."

Which was read.

Also,

Bill No. 639

A Resolution entitled, "Resolution providing for the conveyance of certain property in the Borough of Sharpsburg, designated as Block 169J, Lots 73-108, to Daniel J. McGreevy for the sum of \$750.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 648

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Romar Pennsylvania Marketing, Inc., in the amount of Five Hundred Thirty Dollars and Twenty Five Cents (\$530.25), in payment for an idler shaft, gaskets and bearings needed to repair the

heated heater being used at the Asphalt Plant."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 649

A Resolution entitled, "Resolution transferring the sum of \$96,000.00, Ninety-Six Thousand Dollars from Code Account No. 1175, Index Code No. 117507, Equipment, Department of Environmental Services, to Code Account No. 1176, Index Code No. 117606, Miscellaneous Services, Department of Environmental Services."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 750

Report of the Committee on Planning, Housing and Development for May 4, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 586

A Resolution entitled, "Resolution Repealing Resolution No. 185, effective March 30, 1988, entitled, 'Nominating the South Side Pittsburgh Works, LTV Steel Corp., to be a Historic site under Section 513 of Chapter 1007 of the Pittsburgh Code.'"

—(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

I'd like to discuss Bill No. 586 on



the legislation that I submitted to rescind or take back the historical designation. I'd like to just briefly summarize my position once again.

I think the basic and most important priority for development on that site of land in the South Side should be the efforts of the Steel Valley Authority to re-open the electric arc furnace. As well, the construction and building of a continuous caster on part of the 104 acres of land. I think that's clearly no small task and I don't believe it's a task that the Steel Valley Authority should shoulder by themselves. I think it's something that needs full public sector support and cooperation.

I believe strongly that the historical designation is counterproductive and in fact detracts from this primary objective. Council and the Administration, I believe, should be focusing our attention and the attention of both state and federal as well as private investment to the efforts of the Steel Valley Authority.

Having toured the facilities in question, the ones proposed for demolition, I see no such historical significance of the remains that once produced steel at the South Side Works. What I do see is prime commercial property begging for development proposals.

I believe that the main issue in this debate should be the need to get the City Administration, the Urban Redevelopment Authority, and City Planning to both creatively and affirmatively seek out economic development proposals that should have two main objectives; one, the development project which will produce the largest number of decent paying jobs to City residents; and secondly, which development project will produce the

largest contribution of tax dollars to the School Board and to our City.

All of the likely development projects to take place on what probably is the most valuable land, valuable acreage in our City at this time, each one of those development projects will come with a price tag to the public. I believe that the Administration, the Urban Redevelopment Authority, the public, the South Side community groups, and others throughout the City should all be a part of the public debate on the cost versus the benefit for whatever development project should be supported.

I would hope that the Planning Commission and the Urban Redevelopment Authority, City Council together with the Mayor's Office, would all support the need for a public hearing or hearings on what the nature and what extent economic development should take place on this property. Again, I would refer to it as both lucrative and valuable riverfront property.

I would call today on our new Mayor, Mayor Masloff, and the Urban Redevelopment Authority Board to initiate a process whereby private investors can begin to offer proposals for development on this acreage of land. I would also call on the Mayor and the URA to report back to City Council regarding the status of the Steel Valley Authority's efforts and to indicate to this legislative body how we may help hasten the start up of the electric arc furnace and the employee owned operation that is hoped for in the South Side. Thank you very much.

**Mr. Lyons:**

Mr. President, I'd like to offer a motion that Buildings 2, 3, 4 and 5 would be excused from being razed by LTV, while they'll have the right to raze all

the other buildings giving the Commission 90 days for further study.

**The Chair:**

Mr. Lyons, I hate to do this but I have to rule your motion out of order; It's not in writing. You can come back next Monday with legislation, if you wish.

**Mr. Lyons:**

Mr. President, that being the case, I then ask the City Clerk to prepare the letter that Buildings 2, 3, 4 and 5 will be allowed to stand for an addition 90 days while LTV can eviscerate all the other buildings, notwithstanding the electric arc furnaces.

**Michelle Madoff:**

I would like to recommit the bill.

**Mr. Pollock** seconded the motion.

**The Chair:**

There is a motion and a second to recommit the bill. Is there any discussion on the recommitment?

**Mr. Pollock:**

There has been a petition for a public hearing scheduled; there have been numerous letters sent to Council from individuals who want to have a say in this debate. I think that if Council really wants to have input from the community and the neighborhood, it should hold up on this vote until such time as a public hearing has been scheduled and held.

**Mr. Ferla:**

Point of Procedure. I believe there's already a motion on the floor to

accept the bill.

**The Chair:**

The motion to recommit is in order.

**Mr. Coyne:**

Mr. President, I'd like to point out to my fellow Councilmembers that I agree with Mr. Lyons, with his trying to find a middle ground in this position. I would like to remind everyone that with the good intentions here, there's a good possibility that Buildings 2, 3, 4 and 5 will not be standing next week. If we would wait a week, then at least we could draw up this and that's why I would ask for this to be held because if we rescind this today, there's nothing to prevent LTV to go in tomorrow and start ripping down those buildings.

**The Chair:**

No, they have to wait. The bill doesn't become law for ten days.

**Mr. Lyons:**

Mr. President, if I'm right, this bill, if it's passed today in its present form, it would not become effective until after Wednesday of next week. Am I right?

**The Chair:**

Right. Ten days.

**Mr. Lyons:**

Then that gives me room for the amendment on Monday.

**The Chair:**

Right.

**Mr. DePasquale:**

I don't want to dispute with my colleague, Mr. Pollock, but our duty as Councilmen is to pass legislation and also to pass referendum. If we are to go to a public hearing every time we have a tough decision to make, then we may as well resign here. We have one duty and that is to carry out the business of the City of Pittsburgh and we're to make the decision, the nine people here, or the eight people now, and not to go to the public and have a referendum or have a public hearing every time a difficult situation arises.

In regards to recommitment, I have to be opposed to it on the grounds that I voted for the historical designation and I must add, and I apologize for it, I voted in the blind. As I passed those buildings, to me it looks like an empty warehouse and there are buildings standing up. I never realized the conditions those buildings were in and I think some of the people who are asking us to not rescind it, I think they should go over there and see for themselves and see how bad a condition, how bad a shape those buildings are in. They're a danger and they're dilapidated and there's no reason whatsoever to designate them historical and allow them to remain up.

**The Chair:**

Roll call vote on the recommitment.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne                      Mr. Pollock  
Michelle Madoff

AYES 3                      NOES 5

**VOTING NO:**

Mr. DePasquale              Mr. Wagner  
Mr. Ferlo                      Mr. Woods  
Mr. Lyons                      (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Coyne:**

Discussion on the bill. Mr. President, I would like to thank Mr. Ferlo and Mr. DePasquale for becoming instant historians in their judgment of the validity of that plant being an historical site.

I would also like to remind my colleagues that we are here to make important decisions but we are to use instruments that are available to us if we are to make well-informed decisions. I don't think that any knowledgeable decision can be made without all studies being completed. The history people wanted an additional 90 days; I don't think that's being very unreasonable.

Also, I'd like to remind Council that the Steel Valley Authority and the Tri-State Conference On Steel still are not aware of how much property they need to operate those plants. There's nothing to prevent LTV from going in, demolishing the site, then selling it off parcel by parcel which we could, in effect, bring up the idea that I still maintain, that LTV does not want an operating steel plant there to be a competitor with their Cleveland facility.

I would urge my colleagues not to rescind this, since we couldn't reach a compromise, and to let the History and Landmarks people do their study, let the Steel Valley Authority and the Tri-State Conference On Steel decide on how much property they actually need for the development of an operating furnace in that area, and then make our decision in the 90 days hence when we have more facts in front of us. Thank you.

**Michelle Madoff:**

Mr. President, I think at this time I would like to read into the Record my feelings that are summarized in an editorial that appeared in the Press or the Post Gazette, I'm not too sure, in the media, and I think it really tells the whole story.

"City Council was wise to take the stitch in time that saves nine by nominating the LTV Corporation South Side Works for historic designation. It will delay any demolition of the mill for up to a year to give the City's Historic Review Commission a chance to consider the matter.

The major reason for the action lies in the possibility that it could become either a major or satellite site for the Pittsburgh History Center that is being discussed by several groups including the Historical Society of Western Pennsylvania and the Pittsburgh History and Landmark Foundation with the possibility that steel firms on the brink of razing some of the buildings quick pre-emptive action was necessary.

LTV will still have a chance to make its case in hearings before the Historic Review Commission and were to be determined that all or part of the South Side Works is not useful for historic preservation, the designation could be lifted to allow the corporation

to take whatever action it wishes for the property, including the demolition of it.

Council action also is a recognition of the potential tourism value of such historic industrial sites."

May I digress a moment to point out that we received a brochure that talks about the Sloss Furnace, a national historic landmark in Birmingham, Alabama. I questioned the Historic Committee at the time as to the condition of the property and whether it was any different than the skeletal remains of J & L at this point, and indeed it was not. In essence, it's really a reconstruction on-site where it belongs, where the history of our community has sprung from.

"Council's action also is a recognition of the potential tourism value of such historic industrial sites. An article in the business pages of yesterday's New York Times about Great Britain's heritage industry illustrates the potential here. Even though Britain is rich in historic palaces and stately homes, cities and even corporations are discovering the value of turning old mills, coal mines, and even iron bridges into tourist dollars. Industrial museums have become increasingly popular, the Times relates.

In the Wagon Heritage Center and the Iron Bridge George Museum, people dress up in garb, cast iron, make candles, and generally act like they're Victorian ancestors.

The dark mills of the industrial revolution sanctified by the passing of time have become museums and industrial archeology as a fast expanding academic field.

Just as in Pittsburgh, there are those in Britain who worry that

glorification of an idealized past is a threat to the present. The Times says that some also worry that some exhibitions are a Disneyland presentation of Britain's past.

One of these, a newly created 10th Century Viking village in New York already is attracting 900,000 visitors a year. Others object that too many of the jobs that the tourism creates are low-paid, unskilled and seasonal. Still, the country's 1,750 museums, half of them created since 1971, are considered vital additions to what is Britain's fastest growing major industry and the second largest earner of foreign currency after North Sea Oil.

The Times says that tourism is a \$24 billion a year business in Britain, employ 1.4 million people, and creating 45,000 new jobs a year. Estimates are the take will reach \$40 billion annually in the 1990's.

In a Pittsburgh region that has been at the forefront of global industrial progress since the early 1800's, we have almost too many possibilities and major problems in figuring what to do. Clearly, not all the industrial heritage sites in the Pittsburgh region can or should be saved. But until there's a sorting out, destruction should be delayed, a reason solidly to commend Council's latest action."

I had made some comments earlier and they can be carried forward, but basically, to reiterate, the electric arc furnaces will not be in dangers. They have been waived. The water facility that would feed and provide the water sourced for the electric arc is exempt from demolition in any event. The cleaning up of hazardous materials is exempt under federal law, and they can proceed immediately. They are exempt; we cannot stop them from going ahead.

All we're asking, we've been debating this and arguing, and originally we voted to give them, I believe we rescinded and we said they would know within five months. I think almost two months are gone. We're only talking about three, three and a half months. And all we're talking about is not allowing LTV to go in now when the price of scrap is very, very high and the bulldozers are standing by to go in and level the property. We're asking to allow three more months, probably three and a half months at the outset, to have our public hearing, have all segments of the public who have diverse opinions. The preponderance of opinions seems to be, let's wait and see when the national historic association says there is great potential for business in the community. In a community that has gone from 700,000 people to 350,000 people, how dare we, how can we even consider not letting those affected on the South Side, citizens who wish to have a tourism area, where we are not being obstructionists to the immediate needs of LTV. I think that we have a responsibility to allow the historic designation to stand and all those agencies, both local, state and national, to give us an opportunity of their educated wisdom and come back and tell us, within a reasonable time frame, what we can do to turn this bad economically depressed area into something that might produce some dollars and some jobs for our people. It is not going to impact on what other facilities, industrial parks, and reinstating the electric arc mill, which, incidentally, we're talking about a \$400 million investment and will be very hard to come by and at this moment is not competitive with foreign trade when we have Brazil sending in ingots that are not cost effective because of the price of scrap.

We don't know the whole story. Let us not vote in a vacuum. Let us hold

a public hearing. Let's hear from all sides. Let's be reasonable. And let's not push just because we have a position which may or may not be wrong and will hurt the entire community. I urge my colleagues to reconsider and leave well enough alone, allow a three month period to go by and to reconsider. We can always rescind the designation. We don't have to do it this moment.

**Mr. Wagner:**

Mr. President and members of Council, I am voting to rescind the original bill and I want to state my reasons why.

Actually, this issue has been in front of Council for eight weeks. The original bill was introduced on March 21, 1988 by Mr. Pollock. Rule 8 was suspended on the bill when four members of Council wanted to hold the bill for one week for some dialogue. We could not at that time find five votes to do that.

Since that time, Councilman Ferlo has introduced his bill to rescind, and we have had several meetings here in Council, and we had one extensive tour of the plant or at least the buildings suggested to be demolished. In that tour, I think this Council found out quite a bit and, in essence, what we found out was that the land is prime land and is much more valuable than the buildings on the land.

Then Councilmember Sophie Masloff asked that question at the table, "Isn't it really the land that is so valuable?" and I don't think there's any member of this Council that could disagree that that is prime developmental land.

This Council also wants to see the Steel Valley Authority and the electric arc furnaces move forward, if that is

possible, for those electric arc furnaces to be put back in operation in the future. And we have shown that in the past with our votes here on this Council funding the Steel Valley Authority.

We have talked also about historical value and something to draw people into the City, tourists and conventioners. This City, I think, has a lot to offer along those lines right now and is proposing several things. Obviously, we have Station Square which is probably the best drawing card in the City of Pittsburgh for people that come in to the City. It does have some historical value itself.

We do have other things that are proposed as tourist attractions such as the Buhl Science Center on the North Shore, the Riverside Festival Market adjacent to the Convention Center, the Carnegie, the Zoo, and many other things; we could go on and on.

I would like to see us think about a development opportunity on the portion of the site that is not needed by the Steel Valley Authority. I'd like the City Clerk to pass out a letter to all members of Council that I am sending out, and I am copying Mayor Masloff, Mr. Lurcott and Mr. Donahoe. I'd like to read the letter; it's a very brief letter.

"President and Members of Council:

In the event the historical designation of the LTV site on the South Side is rescinded today, I would strongly recommend that the City of Pittsburgh move forward with residential development on the site.

The area along the riverfront adjacent to the South Side Riverfront Park, and it's immediately adjacent to that park, represents a tremendous opportunity for condominium

development. A developer could take advantage of the riverfront and build boat docks along with condominiums. In doing so, we could create an amenity not yet available along the 35 miles of riverfront property. I have always said if you provide a boat dock rather than a parking spot, people will move back to the City of Pittsburgh by the thousands. In doing so, we would reverse our declining population and our tax base.

I would strongly recommend we find developers that are interested in this type of new project that would enhance the South Side in the City of Pittsburgh."

I firmly believe that this is what this City needs to do to turn itself around. We need to develop our riverfronts and we need to do it by attracting people back into the City and giving them an opportunity that they cannot find anywhere else. This is a great place for condominium development to attract people back into Pittsburgh and to give them boat docks along the riverfront where they can live 365 days a year. They wouldn't need to find a second home up along Conneaut Lake or wherever; they could live along our riverfronts. I think a portion of this parcel is a prime opportunity for that and I would like to see the City move forward as rapidly as possible to do that.

**The Chair:**

Call the roll.

**Mr. Lyons:**

Mr. President, I still have the right next week to present my bill on Monday for the 90 days, correct?

**The Chair:**

Yes.

**Mr. Pollock:**

I'm going to abstain on this bill and I'll explain my abstention.

Much has been said about this J & L site and the proposed historic designation, but I want to consolidate my position and explain why I can't vote for it.

To begin with, it is mind boggling that this Council, especially certain purported, populist and democratic members would vote on an issue as significant as this without input from the public and the neighborhood. It is plain that those Councilmembers who want the public to speak only want the public to speak when it will say what they want it to say. It is unfathomable to me that this Council would not permit the community to speak on the subject. It is unprecedented in my tenure on Council.

Let me make it very clear from the outset that I hope and pray that the Steel Valley Authority will be able to restart the electric furnace and to again operate a steel mill in the Steel City. But this operation would be very site-specific and would not utilize a very large portion of the entire J & L site. A functional electric furnace would have no negative effect on, and indeed, would have a complimentary relationship with a steel heritage site.

Let me also be very explicit that I am not taking the position that the structures on this site can definitely be preserved. I also toured the site and saw the buildings. There are some facts I learned as a result of this tour: one, the site is very large and very old; two, I am not the least bit qualified to state whether or not the structures can be saved; three, the structural engineer and architect who also toured the site both said that there was a very real possibility

that the buildings could be renovated and preserved. They said they could form a more certain opinion if they would have more time to view the property.

People don't travel to other cities to buy chocolate chip cookies and leaf jewelry. There has to be an attraction to which an exciting shopping area and hotels and restaurants can be complimentary.

But let's look at whether or not this site is actually historic. Is there really historic value to the structures? Let's look at what the National Parks Service of the U.S. Department of the Interior said. In its letter to the Pittsburgh History and Landmarks Foundation of April 20, 1988, the U.S. Department of Interior National Parks Service said, "An examination of the Historic American Engineering Record collection for those structures relating to the Bessemer steel-making process revealed that the Bessemer Building at the J & L plant is indeed a rare survivor. In fact, the Historic American Engineering Record considers this structure and the adjacent open-hearth building, the railroad viaduct and the hot metal bridge to be nationally significant resources. Accordingly, the Historic American Engineering Record carried out a large format photographic project of these J & L structures..."

"The J & L Bessemer Building is an historically important resource as it stands as a reminder of steel-making technology at a time when the nation's Bessemer operations have fully matured. At this date, the Historic American Engineering Record is aware of only one other major Bessemer building, an 1870's masonry structure built by the former Pennsylvania Steel Company in Steelton, Pennsylvania. The J & L Bessemer Building is clearly one of the few remaining in the United States

and stands as a very significant reminder of the nation's industrial heritage."

Let me state one certainty. There is going to be a steel heritage museum and it will receive millions of federal dollars in grants. It will generate millions of tourist dollars and it will provide enormous benefits for the hotels, restaurants and shopping areas and municipalities near it. The question is, if this museum is all the way down river in the Mon Valley, what benefit will the Pittsburgh businesses and hotels receive?

Let's take a look at the potential. The City of Lowell, Massachusetts was hard hit by the closing of its textile mills. The economic condition of the area was one of near hopelessness. The Massachusetts Historical Society preserved and re-used a number of abandoned textile mill buildings and now more than 800,000 people a year visit the site as tourists. In addition, it has promoted economic development through the preservation of structures that were derelict, that were seen as eyesores, that were going to be bulldozed. They went through the same procedures that we are going through here today.

Wang Industries, one of the largest high-tech companies in the nation, purchased one of the abandoned textile mill buildings for their national headquarters. Corporate America is moving into the historic site on a large scale.

Michelle spoke about the Birmingham Sloss Furnace. I must remind everybody that Birmingham, Alabama is certainly no tourist mecca, and yet it has a model exactly like what we're talking about today where tens of thousands of individuals go every year. Need I remind everybody that Birmingham is called "the Pittsburgh of the South". It would be ironic if "the



Pittsburgh of the South" had a steel heritage museum and the real Pittsburgh did not.

If these buildings can't be saved, then so be it. Let them be torn down. But historic sites are like endangered species; once they are gone, there is no bringing them back. They are gone forever.

Permit me to address another aspect of this issue. Pittsburgh is in the process of successfully making a transition from an economy based on manufacturing and heavy industry to one that is based on service, high-tech information, providing tourism, biomedical technology and related fields. We should be extremely proud at how well we are making this transition.

A steel heritage museum is part of this new economy. Clearly, it is part of the providing of information and the improving of the City as a tourist attraction.

I've traveled to other cities. People talk about the great successes of Harbor Place in Baltimore and Faneuil Hall in Boston. But don't think for one minute that Harbor Place in Baltimore would be prosperous if it didn't have the world-class aquarium as part of its site or that Faneuil Hall would be so successful if it weren't located in the center of historic Boston with Paul Revere's house and the Old North Church and other sites located nearby.

I've been asked by many individuals why certain members of Council are now changing their vote. After all, the original nomination vote passed 8-1. I certainly can't believe that any member of Council would vote on something that he or she didn't know what he or she was voting about. Nor could any member be forced into voting one way, especially

when some members of Council avail themselves of the privilege to abstain as frequently as they do.

I really don't know why some are changing their vote. I'm certain there are some personality politics involved. I'm certain there are external forces at play here. And there were indications of this in the discussions with the representatives of the Pittsburgh History and Landmarks Foundation. They were asked if they were going to be putting an expansion on Station Square in the site. It was alleged that Pittsburgh History and Landmarks Foundation was acting in bad faith, that it had an ulterior motive other than the preservation of the structures for a museum. Pittsburgh History and Landmarks Foundation was accused, in Bolshevik style, of conniving a "land grab" of some type. When has Pittsburgh History and Landmarks Foundation said it wants the land? When has it said that it wants to control the site?

But while we're on the subject of Pittsburgh History and Landmarks Foundation, I would suggest that when Pittsburgh History and Landmarks speaks, this Council should listen. People said an abandoned railroad freight house could not be converted into a shopping area, but Station Square is one of the most successful business areas in the entire region. The only hotel making money in the City of Pittsburgh is the Sheraton at Station Square. The Grand Concourse Restaurant does one of the highest volumes of business in the nation and the largest volume of business between New York and Chicago.

These are all spinoffs to Pittsburgh History and Landmarks conversion of an abandoned railroad freight house which no one said it could do. And the beneficiaries of this success are the City and the people of Pittsburgh. The jobs,

the tax revenue, the room nights, all the benefits would not be realized if not for the vision of Pittsburgh History and Landmarks Foundation. So, I for one, listen when Pittsburgh History and Landmarks speaks.

The creation of a steel heritage museum would be an economic development boon to the City. We have to be certain that this prospect is fully examined, and this will take several months. Those that say the museum could be anywhere in the City are as ludicrous as those that say that it would be a benefit to the City if it were down in the Mon Valley. To have a steel mill model or a steel mill museum in a contrived setting is as much a hoax as the claim that certain Members of this Council care what the public really wants.

Now, what about the delay of several months? What will the ramifications of that be? Representatives of LTV say that safety concerns mandate that the buildings be razed. They cite asbestos and other hazardous material which must be removed. They also state that the buildings are dangerous. These claims are quite intriguing.

First, for nearly one month after the nomination was in place, LTV never contacted this Council, the Planning Department, or the Historical Review Commission to determine if it could remove the asbestos or hazardous material or if it could secure the buildings. It cared so much about safety that it never even picked up a phone for almost a month to inquire if it could remove any hazardous material from the site. It merely attempted to have the designation removed.

What I am asking for is Council to delay its final decision on this

nomination for six months so that all the options, can be examined. It must be pointed out that last week the South Side Planning Forum met to discuss the issue. The members of this group are the South Side Local Development Corporation, Main Street on East Carson, the South Side Chamber of Commerce, the South Side Arts, Antiques and Crafts Association, South Side Community Council, the South Side Library Advisory Committee, the Brashear Association, and representatives of the South Side schools, churches and health care institutions. These groups voted unanimously to support a six month delay in the rescission and a study of a site as a potential steel heritage museum. In addition, the Tri State Conference on Steel also requested that this matter be delayed until such time as a public hearing could be held and it can present its views to Council. Even the Pittsburgh Press, which originally opposed the nomination, now says that there is a need to study the matter further and urges Council not to rescind.

Curiously, LTV raised concerns about buildings that have been sitting idle for nearly three decades with no problems at all. Why all of a sudden is there an emergency? It is clear that LTV has been disingenuous with this Council from the start. It is also clear that its purported claims of exigency are fallacious. There is no reason whatsoever why this matter cannot be studied for several months.

Two other points. One, there has been talk about the site being used for housing. If anyone thinks for one minute that any developer could, or would, construct residential units on a site where there has been asbestos, PCB and other hazardous material, then he or she probably believes in the tooth fairy. I have been informed by the State Advisory Committee on Hazardous Waste

that there are numerous other hazardous materials on this site that will only be discovered as this site is further examined. There is no way that any developer would attempt to develop this site for residential use.

In addition, if the site is so marketable for industrial or other type of use, why hasn't LTV been able to sell it for all the time it has been trying to do so? If it is such a valuable piece of property, why aren't people beating down the doors of LTV to purchase it?

Last week at a public meeting held on the South Side Reverend William Greiser made a passionate plea to preserve the site. Reverend Greiser is a fourth generation J & L employee. He was the fourth generation in his family to work at that site. And I apologize to him for attempting to relate his plea because I know I will not do it justice.

What he said was that the J & L site was like an old workhorse that had served its master for many, many years, and then it was forced to be sold into some other person's hands. And that other person beat the heck out of that horse, worked it to death, didn't care for it, didn't feed it, didn't rest it, and then finally the horse had to be put to sleep. And then when the people that had owned that workhorse for so many years, and had cared for it, wanted the horse back to at least give it a proper memorial and to dispose of it in a proper manner, the new owner sold it to the glue factory. That is exactly how he views the J & L site and I can only concur with him.

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5 NOES 2

(MR. COYNE AND MICHELLE MADOFF VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 634

A Resolution entitled, "Resolution amending Resolution No. 1094, approved December 30, 1987, effective January 1, 1988, entitled: 'Adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by changing one code account, and adding two code accounts that were previously omitted."

Which was read.

Also,

Bill No. 635

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization

to Carnegie-Mellon University to construct a three (3) level 636 stall parking garage; two (2) dormitories with shared dining facilities; a new football field; and improvements to the existing softball field on property having frontage on FORBES AVENUE and MARGARET MORRISON STREET, 14th Ward."

Which was read.

Also,

Bill No. 678

A Resolution entitled, "Resolution authorizing the submission of an application for financial assistance in the amount of \$921,000.00 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for fiscal year 1988, execution of Grant Agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 751

Report of the Committee on Parks and Recreation for May 4, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 651

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ernest T. Williams, Jr. Memorial Center for professional services in connection with the East End Raiders Football Program for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,300.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Department of Parks and Recreation."

—(SPONSORED BY MRS. MASLOFF)

Which was read.

**Mr. Coyne:**

Mr. President, I've been advised by Council's budget staff that there is insufficient funds in Code Account 10 which would be needed to reimburse Code Account 1838 which means that Council will have to find this money somewhere else during the year to make up for this deficit. I don't think this is a very logical way to spend money for City government, especially with the financial crunch that the City is in right now. So, I would ask my colleagues to either vote

to hold this or to vote against this because there are insufficient funds at this time.

**The Chair:**

Are you making a motion to recommit?

**Mr. Coyner:**

Motion to recommit.

**Michelle Madoff** seconded the motion.

**WHICH MOTION PREVAILED.**

**Mr. Wagner presented**

Bill No. 752

Report of the Committee on Public Safety for May 4, 1988 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 643

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Chapter 547, Transit Vehicles and Taxicabs by adding Section 547.01(c) requiring the installation of crash attenuators on all safety islands."  
—(SPONSORED BY MR. WAGNER)

Which was read.

**Michelle Madoff:**

On Bill 643, addressing the attenuators. May I point out that I think it would be in our best interest to resubmit the bill because the insurance on the safety islands is covered by the

Port Authority, and may I read, please, from the letter received May 16th.

"Should Bill No. 643 pass as proposed, PAT would consider the agreement null and void and, as such, PAT would no longer indemnify the City as previously agreed. Such an action may further delay the widening of the islands and result in additional engineering design and installation cost."

Basically, they are guaranteeing the safety of whatever is put up. Obviously, we all care about the safety of the people in that area. Obviously, something has to be put up whether it's a nosecone and some barriers, or whether it's attenuators. But since the agreement was made with Construction and Engineering representatives representing the City of Pittsburgh and with the Port Authority, that the City would not bear the burden of the indemnity that all liability would fall on Port Authority, if we proceed to mandate what they're going to do to protect the islands, we will lose that insurance liability. I think that we ought to at least resubmit and get some more information on that. I make that in the form of a motion.

**Mr. Pollock** seconded the motion.

**Mr. Coyner:**

Discussion. I also would like to urge my support of Councilwoman Madoff's asking Council to hold this. I have received this morning, and I believe other Councilmembers have, a petition signed by nearly 300 residents of the Beechview area. To sum up their letter, they say, "As stated before, the Beechview Area Concerned Citizens is not against safety; however, the future implications of this legislation remain too undetermined to justify its passage at this time. We therefore urge Council

to delay action on this bill and to require a further study which may resolve the issue which would be undertaken in all haste."

I would urge Council to follow the wishes of the citizens who signed the petition and at least hold off until further studies can be completed.

**Mr. Wagner:**

Mr. President and members of Council, a lot of allegations have been made in regard to Bill No. 643 by the media itself saying that this is a political issue and obviously Councilman Coyne just indicated that there is a petition even from the people in the neighborhood that I live in saying that they want the bill held. I think that in itself indicates that this bill is a very serious bill that has been attempted -- We have attempted through the Administration, the Engineering and Construction Department within City government, to convince the Port Authority Transit of the seriousness of abutments sitting in the center of public streets. The Administration has not been successful in convincing them to move forward to do that.

Councilwoman Madoff has indicated that we received a letter today suggesting that the agreement that has been struck with the City of Pittsburgh and the Port Authority would be null and void. Maybe that is the truth with the Port Authority in terms of their opinion. It is certainly not my opinion or anyone's opinion in the legal area in the City of Pittsburgh, and the reason why I say that is this: Anything that Port Authority owns, they are responsible for. And it has been my opinion all along that everything they own in the public right away, they are legally liable for and always will be legally liable for that. With an agreement or without an

agreement.

However, I do want to state that I don't believe we should hold the bill, and that is the motion on the floor. The reason why we should not hold the bill, because in holding it we will not accomplish anything. The Beechview Area Concerned Citizens, the group that sent in the petition, I appeared in front of them last Thursday evening at their meeting. I answered all the questions they wanted me to answer. They asked the Port Authority to attend the meeting and they refused.

I have been open in public on this issue. This Council asked me to hold the bill one week; two weeks ago I did that. We brought the Port Authority in front of Council. We've given them the opportunity to have dialogue in front of this Council. I don't think there's any further need to hold the bill.

**Mr. DePasquale:**

Mr. President, friends of mine who signed this petition called me and told me they were being literally blackmailed by Port Authority and that's why they signed the petition.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne                      Mr. Pollock  
Michelle Madoff

AYES 3                      NOES 5

**VOTING NO:**

Mr. DePasquale    Mr. Wagner  
Mr. Ferlo         Mr. Woods  
Mr. Lyons         (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Pollock:**

On the bill itself. Studying the same letter that we received from the Beechview Area Concerned Citizens, apparently there is some disagreement as to the veracity of Mr. Wagner's allegations. He stated that he answered all of the citizens' questions, and yet the letter states that he did not answer the question of what he would do or what the City could do if the Port Authority removed the islands if they were forced to provide crash attenuators. Maybe he didn't answer that because there is nothing that he or City Council could do if they decide to move those islands. That's probably why the Beechview Area Concerned Citizens want to hold this matter up, to get those answers, because it could be penny-wise and pound foolish. I have no doubt because I spoke to Mr. William Millar, the Executive Director of the Port Authority.

Mr. DePasquale can call blackmail all he wants; I call it using business sense and business pressure that if this bill is passed they'll take the safety islands out. They have the absolute right to do that. And that's probably why so many residents of Beechview are greatly concerned about this bill and that's why they wanted to have time to discuss it and to have a public hearing on it.

In addition, it should be noted for the record that Allegheny County has a citizens' organization called the Allegheny County Transit Organization

which deals with all matters concerning the Port Authority Transit, the company of Port Authority of Allegheny County, and all matters of transit in the County; also, of course, included in that is the City. The Allegheny County Transit Authority opposes this legislation and would like to have the opportunity to study it, to determine if, in fact, it could support it, but as of right now it does not want it passed. That is why this citizens' group was formed, to address issues like this, to study them and to testify before legislative bodies. It's unfortunate that they were never consulted because I know them to be an uncommonly talented and committed advocacy group dedicated to serving the people of Allegheny County. They should have been consulted, they should have had the opportunity to address this issue; and for that reason, I can't possibly support this.

And I must concur with the Pittsburgh Press that this is one of the first examples of district elections which is going to cost the City of Pittsburgh enormous sums of money where people appealing to small districts will do anything they can, spend any amount of the City's money to appeal to their selfish interests.

**Mr. Wagner:**

Mr. President and members of Council, I will not comment on some of the comments that just came before me because they have no basis. However, I would like to talk on the merit of the legislation.

I have, in front of me, an Engineering and Construction drawing from May of 1987 on crash attenuators for Arlington Avenue and Broadway Avenue that was recommended to the Port Authority Transit of Allegheny County. Anyone involved in the Port Authority and anyone involved in

engineering in this City has been well aware of this for quite some time; it was discussed at length for two years prior to that. It does not take a genius to know that when you have a concrete abutment in the middle of a City street, if you provide an impact attenuator or a crash attenuator on that abutment, you will reduce the potential for accidents if you hit that abutment whether you're going five miles an hour or fifty miles an hour. That's all this issue refers to, is reducing the potential of people being seriously injured or killed.

I am the Chairman of Public Safety and I don't care if every newspaper in this whole world comes out against me on this issue. I will still move forward on this legislation because I believe firmly in my heart that it is in the best interest of the public and it will reduce the potential of the public being seriously injured when standing on or hitting an abutment in the center of a street. It not only pertains to two neighborhoods; it pertains to several other areas of the City of Pittsburgh and anywhere else in the future where the Port Authority wants to put a safety island in the center of the street. People have created the argument, why aren't these crash attenuators on the flower planters on Grant Street. A somewhat valid argument. However, plants are a lot different than people and people are not supposed to be standing on those planters; people stand on safety islands. And they should be made safe for those that stand on them and those that travel the streets around them, particularly if they're located in residential communities.

Even if there are neighborhood groups in my own community that are against me on this issue, I will not stop pursuing the issue. I have pursued it for three years with the Port Authority, and I have hoped, through negotiation, that

this could be accomplished. It has not been accomplished. I have no other alternative, except through legislation. And I would hope that you would support me.

**Michelle Madoff:**

Mr. President, I had also asked Mr. McDermott, head of Construction and Engineering, whether he felt the attenuators would be safer than the design that the Port Authority was proposing, the nose cement protectors and the protectors along the islands and the widening of the islands, and he said that he didn't know. I suggested at that point that perhaps what we ought to do is to get an independent consultant, we have some money available, to tell us what the appropriate situation should be. Should we have the attenuators or should we go to one or two or three other options? Not the Port Authority and not the City of Pittsburgh because, ultimately, I think that we would have a stronger case should we go to court to make sure that the liability for damage to any lives or to the property, if it involves someone's car, would be covered because we did our homework and we had an independent consultant tell us what is appropriate.

I didn't want to read the whole letter but I feel compelled to do so. It went to every member of Council. This is from Mr. Bill Millar of the Port Authority.

"Dear Councilwoman Madoff:

The safe operation of a public transit system serving the citizens of the City of Pittsburgh and Allegheny County is the highest priority of Port Authority Transit (PAT). We will not compromise the safety of the public in the design, construction and operation of any PAT facility.



With that in mind, I must express my disappointment over the preliminary vote of City Council on Wednesday, May 4th, to adopt Bill No. 643 which would require the installation of attenuators at transit stops safety islands along Broadway Avenue in Beechview.

PAT has worked closely for many years with the City of Pittsburgh and the community of Beechview to resolve the issues related to the light rail system. In fact, you may recall that PAT redesigned the concrete guard of the safety island at the request of the City prior to their original construction. PAT has continued to work with the City of Pittsburgh and the community to again redesign and widen the existing safety islands. At the request of the City Law Department, PAT has also agreed to assume all maintenance and liability for the safety islands.

Should Bill 643 pass as proposed, however, PAT would consider the agreement null and void and, as such, PAT would no longer indemnify the City as previously agreed. Such action may further delay the widening of the islands and result in additional engineering design and installation costs. It is PAT's contention based on sound engineering judgment" —

And I repeat, they say they have sound engineering judgment and our own Engineering Department said they don't know which is better, which is why I'm calling for an independent party to give us their perception of what is the right thing to do. PAT goes on to say —

"that the proposed design of the proposed guard at PAT safety islands as agreed to by PAT and the City of Pittsburgh Department of Engineering and Construction in August of '87 will provide a high level of safety for transit passengers and community residents.

It is also PAT's contention that the inclusion of attenuators not only will fail to provide any additional level of safety, but conversely will present several serious problems, including, among others, intermittent suspension of light rail service resulting in substantial delays to transit passengers traveling through Beechview due to attenuators being struck and, upon collapsing, protruding over the tracks. Please keep in mind that the distance between the island and the track area is only six inches. Additional maintenance costs is in an imprudent use of taxpayers' dollars. Unsightly appearance of attenuators in the Beechview community (see attached photograph).

I urge you to consider the implication of the pending legislation. A review of transit operations in other cities confirms that attenuators located at transit stops along low-speed roadways are impractical and provide no additional level of safety.

I share your concern over the safe and efficient operation of a public transit system serving the residents of Pittsburgh and Allegheny County. The installation of attenuators at safety islands along the posted 25 m.p.h. City street, however, is neither appropriate nor necessary."

Basically, I cannot tell you since I am not an engineer whether the attenuators is the way to go when our own City Engineering Department says that they don't know. I think it would be prudent to hire an independent consultant to advise this Council as to what would be the best method to proceed and then we can vote as an informed body.

**The Chair:**

Call the roll.

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**Mr. Coyner:**

Mr. President, I am abstaining on Bill No. 643. I find it very unfortunate that this is the second time in one day that Council refuses to hold legislation for further studies when we have been asked by the residents of the neighborhoods and communities directly involved. I feel that we are starting to lose touch with the request of the people of our neighborhoods and I feel it's very unfortunate.

**Mr. Wagner:**

I would like my comments brought forward on Bill No. 643 for the Record.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 643 - WEDNESDAY, 5/4/88)

Mr. Wagner:

Mr. Chairman and Members of Council, Bill No. 643 was held one week from last Wednesday's meeting because several Councilmembers wanted to have the opportunity to have dialogue with the Port Authority in regard to this bill. That happened this past Monday at 1 o'clock. We had a meeting and Mr. Millar, the Executive Director, Mr. Walters, representative from their Engineering Department, were here in front of Council along with representatives from our Engineering and Construction Department.

As all of you know who attended the meeting, there was some good dialogue in regard to this bill. The history of the bill, Bill No. 643 goes back about a year ago where negotiations have occurred, extensive negotiations between our Engineering and Construction Department and the Port Authority Transit of Allegheny County.

It was the position of our Engineering and Construction Department that crash attenuators be installed on all safety islands owned and operated by the Port Authority. The Port Authority refused to do that and therefore the City took the position, "well, if you're going to refuse to do it, we would like you to be responsible legally from a liability point of view for all the safety islands which are located within the boundaries of public streets in the City of Pittsburgh and to my knowledge there are approximately 12 of them at the present time. In years gone by we had hundreds and possibly thousands of them and today we have only approximately 12.

It has been the position of the Port Authority not to install these crash attenuators, therefore the City, meaning the Engineering and Construction Department and the Legal Department, agreed to permit them to take over the legal responsibility, the liability of these safety islands.

It is my opinion as Chairman of the Public Safety Committee that that is not going far enough. These safety islands have been a hazard in public streets for decades in the City of Pittsburgh and we have not done everything humanly possible to

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protect passengers of automobiles that could strike them and have struck them hundreds of times. People standing on a safety island and pedestrians off to the side of the safety islands, on the sidewalk and the potential for vehicles travelling in the opposite direction that could be struck by a vehicle hitting a safety island. That was the reason for initiating this legislation. What this legislation does is require the Port Authority to go out and install what is the best available safety engineering design which is a crash attenuator. A crash attenuator is a cushioning device that many of you have seen on our highways where you have abutments. Well that's basically what a safety island is.

The crash attenuators are a good idea. What it comes down to is two things with the Port Authority: the cost of installation which they do not want to incur, plus the fact that they feel that crash attenuators if struck by vehicles may protrude out into the lane of travel where the new light rail transit vehicles operate. Therefore, it would prevent them from moving ahead on schedule with these vehicles. They would have to come out immediately and repair the crash attenuators if it's struck by an automobile. Well, that's what you're supposed to do with a crash attenuator. And for those two reasons the Port Authority, I will tell each and every one of the Councilmembers and the public, they are against this legislation. This legislation can do nothing but protect the public further.

In addition to that, it's my position and it has been stated to the Port Authority that from a legal liability point of view, it will protect the Port Authority because it will reduce the potential of people being injured, involved in accidents at these safety islands. In essence what it will do is prevent the possibility of them being fined and taken to court for not doing everything they can do humanly possible to protect the public.

This legislation is supported by the Beechview community. We have two letters they have been sent to this Council, one from the Beechview Concerned Citizens that want to see the legislation held up and one from the Beechview Community Council that supports the legislation.

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The reason why this legislation must move forward is that the Port Authority is in the process right now of re-designing the safety islands. They have already allocated the dollars to go out to contract to redesign them. These crash attenuators should be part of that contract and if we permit this legislation to be held, they can move ahead and redesign the safety islands and start work on them and not install the crash attenuators.

It is in the best interests of all parties, of residents of the City of Pittsburgh and the Port Authority for these safety islands which are located in the center of public streets owned by the public, to be protected as well as possible and crash attenuators is the best available engineering technique to do that and I would strongly hope that members of Council would unanimously support this legislation.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 2

(MICHELLE MADOFF AND MR. POLLOCK VOTING NO)

(MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 644

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Chemical People Institute/Duquesne University for Professional Services in connection with their Alcohol and Drug Prevention and Education Program at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1401, Miscellaneous Services, (Index Code 140103), Department of Public Safety."  
—(SPONSORED BY MR. WAGNER)

Which was read.

**Mr. Pollock:**

I would like my comments brought forward on Bill No. 644 for the Record.

**Mr. Wagner:**

I would also like my comments brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S AND MR. POLLOCK'S COMMENTS ON BILL NO. 644, WEDNESDAY, 5/4/88)

Mr. Wagner:

Members of Council, this bill as you see the \$2,000.00 for the Chemical People Institute at Duquesne University, is primarily for the parade that is coming up in two weeks for drug abuse. That is the purpose of this bill. And I wanted everyone to know where these \$2,000.00 are going. These dollars are coming out of a public safety code account as you see. And I had mentioned that to Director Cannon just this morning. They are his \$2,000.00 to operate his department.

The reason why I indicated Public Safety is at the present time Code Account 10, as you know, does not have sufficient dollars in it for this \$2,000.00 allocation, therefore I am stating publicly that once that code account of which Council has some control over, accumulates \$2,000.00, I will introduce a bill to take those \$2,000.00 out of Code Account 10 and put it back into the Public Safety Department.

Director Cannon is in support of this proposal and he just wants to be reassured that he'll get his \$2,000.00 back.

This is going to be used for numerous costs incurred in the drug abuse parade which will occur in two weeks--"Just Say No To Drugs".

There's going to be bands in the parade, there's going to be thousands of school children marching in the parade and it's a parade that is being held to create greater public awareness hopefully to get children involved in an anti-drug campaign.

It will be used for bands, for T-shirts, for balloons, for clowns, etc. It is this community, the City of Pittsburgh, along with the Chemical Institute people that are sponsoring the parade.

This is an anti-drug campaign of which many organizations are involved in and the parade will cost in excess of \$10,000.00. This is a minor portion to go against the most serious crime problem that exists in this city and in this

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country. Now if you want support the \$2,000.00, fine; if you don't want to, that's fine also.

The Chair:

One comment. I too feel that drugs are probably the most serious problem facing American society today, but I'm at a loss to understand how balloons and clowns fight drugs and I think it's just another taxpayer give-away. On the question, all in favor please say aye?

Mr. Wagner:

Unfortunately you feel that way.

The Chair:

I vote no. We have enough balloons and clowns and shit.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1



**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 753

Report of the Committee on Engineering and Construction for May 4, 1988 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 617

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Zoo Rehabilitation, including but not limited to walks and landscaping; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 618

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Correction of Noise Transmission Problems at the South Side Market House; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 619

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to the Grandview Avenue Overlooks; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 620

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Playgrounds and Parks, including but not limited to Gardner, Frick Park and Lincoln Place; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 621

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Rehabilitation to the Aviary; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 622

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Lighting and Electrical Renovations at Various Ballfields, including but not limited to Arlington Field; and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on Bill No. 622 concerning the expenditure of \$125,000 for lighting and electrical renovations at various ballfields, I would like my

comments brought forward from the Wednesday meeting on that bill.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 622 - WEDNESDAY, 5/4/88)

Mr. Ferlo:

On this bill, Bill No. 622, does West Penn Field, which I believe was recently vandalized in terms of lighting, included in this and secondly, could you please address very briefly--I don't want to belabor the point or the meeting--the issue of why we don't use or if we do use them, why don't we use more of the, safety shields because it seems as though continually there's a problem of young people breaking out these lights in these ballfields. It's my understanding that for another \$75.00 per light we could have safety shields put in and it makes more sense to do it. Can we do that in the future?

Dir. McDermott:

Very good point. We're doing it.

Mr. Ferlo:

In this approving of the \$125,000.00, will this include the more expensive safety design?

Dir. McDermott:

I don't know whether it will affect the lighting on West Penn because we're only partially addressing it, but we'll take a look at that.

Mr. Ferlo:

So I do not have to offer an amendment, this is something that you'll agree to do?

Dir. McDermott:

Yes, we will.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

Mr. Ferlo:

I was going to offer an amendment on this bill but at the discussion with Mr. McDermott, he made a commitment to this body that in the purchase of the electrical replacement units for the lighting, that in the future, while it will cost more money, he will utilize various safety shields, lighting, for these ballfields as opposed to what is presently there. It will cost more money per unit but I think it's clear from the amount of vandalism and problems that we have had in the parks that it may be penny-wise to spend a little bit more for these electrical lights with the safety shields.

On that basis, I did not offer the amendment, given his commitment to this body. But I would point out in closing that I had mentioned the need to take care of some of the electrical concerns at West Penn Field and it's my understanding from Director Brown that that is in the process of being worked on and it may cost \$20,000 or \$30,000 and I hope while it may not specifically be part of this legislation, that that will be forthcoming quickly so that the softball leagues can play ball on West Penn Field. Thank you, Mr. Chairman.

Also,

Bill No. 623

A Resolution entitled, "Resolution providing for an Agreement or Agreements or existing Agreement or Agreements with a Consultant or Consultants for Architectural Services in connection with the Rehabilitation of Ream Pool; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 624

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of the Grandview Bandstand; and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 625

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Major Court Rehabilitation, including but not limited to Mellon Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 626

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Ballfields including but not limited to Frick Park and Martin Luther King; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 627

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of an Accessible Nature Trail and Trails Rehabilitation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 628

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Major Repairs and Emergencies, including but not limited to Brookline Pool and South Side Riverfront Park; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 629

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Miscellaneous Renovations to the

Pittsburgh Aqua Zoo; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bills 617 and 629, they are both dollars for the Zoo; one is for \$60,000 and the other is for \$116,000. I love the Zoo; I took my child to the Zoo. But in light of the last budget statement made by our beloved Mayor who is no longer with us, he has stated that we are in a dire financial situation here in the City and we are going to be hard-pressed to meet our budget needs without taxation going into next year. We're just barely going to get through by the skin of our teeth.

The debt service on the Zoo, the multi-millions of dollars that have been funneled into the Zoo, I believe the Zoo should be given to the County. I've said that before; I'm saying it again. And on that vote I'm going to vote no on those two bills.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 630

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh International Engineering to provide all necessary Engineering Design Services for the incorporation of ventilation, heating, air-conditioning and a fire suppression system at the Department of Public Works' Traffic Division Building located in the Strip District; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## MOTIONS AND RESOLUTIONS

The Chair presents

No. 759 Communication from the Mayor's Office informing Council of the appointment of Marianne C. Zebrowski as a member of the Civil Service Commission for a term to expire with the Mayor's term of Office.

Which was read.

Also,

No. 760 Communication from the Mayor's Office informing Council of the reappointment of Reginald B. Young as a member of the Pittsburgh Water and Sewer Authority for a five-year term to expire January, 1993.

Which was read.

Also,

No. 761 Communication from the Mayor's Office informing Council of the appointment of James W. Turner as a member of the Pittsburgh Water and Sewer Authority for a term to expire January, 1992.

Which was read.

Also,

No. 762 Communication from the Mayor's Office informing Council of the appointment of Bernard J. Kobosky as a member of the Public Parking Authority for a term to expire May, 1993.

Which was read.

Also,

No. 763 Communication from the Mayor's Office informing Council of the appointment of George W. Jacoby as a

member of the Public Parking Authority for a term to expire May, 1993.

Which was read.

**Mr. Lyons** moved to receive and file.

**Mr. DePasquale** seconded the motion.

**Michelle Madoff:**

Discussion. May I ask a question? I'm not sure I have the answer. Do I have your permission to ask Mr. Wagner a question, Mr. President?

**The Chair:**

Does it have something to do with these?

**Michelle Madoff:**

Yes. Mr. Wagner, do you know, is Mr. Alex Sciulli on the Water and Sewer Authority as a member?

**Mr. Wagner:**

Mr. Alex Sciulli is the Director of the Water Department —

**Michelle Madoff:**

I know; that's my committee. Is he a member of the Water and Sewer Authority?

**Mr. Wagner:**

He is not a member of the Board of the Water and Sewer Authority.

**Michelle Madoff:**

I would like to request that this body make a motion that somehow or other the head of the Water Department be included as a member of the Water and Sewer Authority. I say that because,

in trying —

**Mr. DePasquale:**

Point of Order. That motion is out of order; it's strictly a matter for the Mayor of the City of Pittsburgh.

**The Chair:**

You're right. Just send a letter, Michelle.

WHICH MOTION PREVAILED.

**Mr. Lyons** moved to approve the Minutes of Monday, April 18, 1988; Monday, April 25, 1988; and Monday, May 2, 1988.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

I move to adjourn.

**Mr. Ferlo:**

We have Motions and Resolutions, Mr. President.

**The Chair:**

A motion to adjourn is always in order.

**Mr. Ferlo:**

Well, I think in the future, Mr. Chairman, please honor Motions and Resolutions.

**Mr. DePasquale:**

I'll take back my motion to adjourn.

**The Chair:**

Alright. Mr. Ferlo?

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**Mr. Ferlo:**

I have no comment but I want to make it clear that you should call for Motions and Resolutions.

And on the motion of **Mr. DePasquale**

Council adjourned.



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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXXII    Monday, May 23, 1988

No. 20

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### Municipal Record

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#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, May 23, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

We have a few resolutions today but before we go into that I'd like to ask Mr. Ferlo to come up. We have some friends from our sister city in Nicaragua and Mr. Ferlo will make a little presentation.

##### Mr. Ferlo:

Mr. President and members of Council, thank you for this opportunity. I apologize on behalf of Mr. Pollock who is not able to be here today. It is my understanding there was a mix up on a resolution; otherwise, there would be one before you. But as a courtesy to elected officials and to a trade union delegation from our sister city of San Ysidro in Nicaragua, I wanted to at least afford both an opportunity and a courtesy to these fine gentlemen from our sister city.

One of the proclamations that our late Mayor was very proud of passing several years ago, Dick Caliguiri, had to do with naming the city of San Ysidro in Nicaragua as a sister city to the City of Pittsburgh. Since that time, there has been efforts by a non-profit community-based organization in the City of Pittsburgh, the Pittsburgh San Ysidro Sister City Project, that has been about the business of providing friendship and cooperation as well as donated medical supplies and other kinds of humanitarian items to the village, the peasantry of this small city in Nicaragua.

As a courtesy, they are on a trade union delegation across the United States. They are here in the City of Pittsburgh today. At this time, I want to call on both of them for a brief statement. I want to ask that Council please welcome them to our City, we being the sister city of San Ysidro. To my left, though, is Professor John Beverly from the University of Pittsburgh; he is an activist and supporter of the Sister City Project here in the City and he actually, as you can see, is also very fluent being a professor -- Actually, I don't know if he's a professor of Spanish Literature but he certainly has those skills, as you can see and you will shortly hear. But our guests are obviously fluent in Spanish and John would like to briefly help to translate this dialogue and brief discussion. So, members of Council, thank you for the opportunity to briefly let them say hello to our citizens here in the City of Pittsburgh.

To my left we have the Mayor of San Ysidro, the gentleman's name is Luis Antonio Martinez. He is the Mayor. Also, we are joined to his left by the gentleman, Eduardo Jose Flores. He is a peasant farmer and he's a trade unionist, a president of the cooperative movement, an organization equivalent to much of our union organization that we all know here in the United States. A gentleman who will be coming in later who is also visiting the City as part of the trade union delegation, his name is Marvin Cortez Estrada, represents the National Union of Public Employees.

At this time, I would ask for a brief courtesy just to let them make a brief statement to the citizens of the City of Pittsburgh. Thank you.

**Mayor Martinez:**

Good afternoon, honorable

Counselors of the City of Pittsburgh. I want to greet you on behalf of myself as Mayor of San Ysidro and on behalf of the town.

The objective of our visit with you here in Pittsburgh this week is to solicit your help in raising the blockade, the economic blockade that has been imposed on our country and in getting your help to further the possibilities of peace in the area.

Thank you very much.

**Mr. Flores:**

Good afternoon brothers and sisters of the sister city of Pittsburgh. Please receive in the name of the farmers and peasants of San Ysidro a very warm greeting.

My name is Eduardo Jose Flores. I'm the Coordinator of the Agricultural Cooperative. In the name of the farmers and of the members of that cooperative, we ask you to help us in our struggle for peace and the end of the commercial embargo against Nicaragua. We're not lovers of war; we are lovers of peace.

Thank you very much.

**Mr. Ferlo:**

Thank you. At this time, I'd like to introduce and call up for a resolution two gentlemen from Freeport, Pennsylvania; a little closer to home. The gentleman is Mark Holbein; he's a City Councilman from the City of Freeport, Pennsylvania, and he's joined by one of his staff people and co-workers, James Swartz, Sr. Mr. Swartz is the Superintendent of Public Works in the City of Freeport, Pennsylvania.

**Mr. Ferlo presents**

No. 826 WHEREAS, it has come to the attention of the Council of the City of Pittsburgh that a permit application has been filed by a company known as the Freeport Terminals, Inc. with the State Department of Environmental Resources (DER); and

WHEREAS, the company desires to establish an incinerator ash transfer station on the banks of the Allegheny River in the municipality of Freeport, Pennsylvania, located fifteen miles upstream of our water treatment intake system; and

WHEREAS, the incinerator ash is the toxic remains of garbage burned daily in the City of Philadelphia and is known to contain chemicals such as dioxane, the most deadly chemical known to mankind and our environment; and

WHEREAS, approximately 225 to 675 tons of the incinerator ash will be transported along the Pennsylvania turnpike, per day, to the Freeport Terminal's transfer station and then loaded onto barges which are to be docked on the Allegheny River and eventually be transported through the City of Pittsburgh to landfills in Ohio and Texas; and

WHEREAS, the accidental spillage of this toxic material into the Allegheny River could cause the long-term closing of the City of Pittsburgh's Water Treatment Plant leaving City of Pittsburgh households and industries without a source of water; and

WHEREAS, the elected officials of Freeport and Armstrong County, Congressman Joe Kolter, State Senator Regoli, among many others, have joined forces in a legal and political battle to stop the State DER from granting the

necessary permit because of the grave environmental and ecological consequences.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh finds that a real and potential threat exists to the river system supplying water to the people, towns and businesses supplied by the Pittsburgh Water & Sewer Authority; and

BE IT FURTHER RESOLVED, that Council requests the following actions to be taken:

- (1) Mayor Masloff and our City Solicitor shall investigate this matter and prepare a formal legal challenge to the permit application;
- (2) The State Department of Environmental Resources should conduct a formal public hearing in our city on this matter;
- (3) A request go to State Representative Tom Murphy of the House Conservation Committee to conduct an investigation and issue findings to the public;
- (4) This Resolution be sent to the Pittsburgh Water & Sewer Authority and other municipal water authorities downstream of the proposed transfer station.

**Mr. Ferlo** moved to approve the resolution.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

Discussion. May I ask the gentlemen that are here, Mark, did you discuss any of this or did anyone discuss this with Mr. Richard Cosentino of our Water and Sewer Authority? Have you spoken with Mr. Bruecken, our engineer and scientist?

**Mr. Holbein:**

Not as yet.

**Michelle Madoff:**

Have you spoken to the University of Pittsburgh, Moyshie Shapiro, who is an expert in water control?

**Mr. Holbein:**

No, we haven't as yet but we have spoken with our own sewers engineer and we feel this is the route to go.

**Michelle Madoff:**

I don't have a problem if this is the route to go, and I'll be with you 100,000 percent. I'll be in front of you fighting the battle. But generally before I take an action of this kind, I like to get my stats. So, what I'm asking is, do you have any documents, any tests that have been done, that I can see the results?

**Mr. Holbein:**

I certainly have. I have brought department application at the Freeport terminal, have talked with DER, and they list all the sampling. Questions that we raised at the hearing on Wednesday which was in front of DER is the validity of the sampling that was done in '84. We feel it's much stronger than what they've submitted, although what they've submitted is pretty damaging.

**Michelle Madoff:**

And who has determined that the quality of the samples or the grab samples, samples taken when people were aware, does anybody have the standards by which it has been measured?

**Mr. Holbein:**

That's what our sewage engineer has questioned the DER. They did not submit, the terminals did not submit the methodology used in reviewing the samples, the way the tests have been taken. Nothing has been given to us. We've requested it but that's all we've been supplied with.

**The Chair:**

All in favor of the resolution?

**Michelle Madoff:**

I abstain.

**The Chair:**

Gentlemen, would you like to say a few words?

**Mr. Ferlo:**

I do want to remind Council of the participation and support of David Hasting in the audience from the Clean Water Action Project which is assisting these gentlemen in this effort.

**Mr. Holbein:**

I'd like to express our appreciation at being invited here today on behalf of Freeport Borough. It's a small community about 20 miles up-river; it consists of 2700 people. We're small but we have a large fight on our hands. We're very appreciative of the City of Pittsburgh for their support that they may give us. It's not only a concern of ours, it's a concern of yours, considering that your water plant is downstream of ours. We just wish that this would be investigated thoroughly before any permit is granted, and hopefully, no permit at all will be granted. Thank you.

**Mr. Swartz:**

I'd like to thank all of you Councilmen for inviting us down today. I have the same thoughts as Mark, here, with this ash being loaded into the barges and then they're going to be sitting up there for anywhere in the neighborhood of a week to ten days until they get six or eight barges to bring down the river. If you should lose a barge or if a barge of that should possibly sink while being loaded up-river, then we're going to have problems in Pittsburgh.

We're asking for all the support you can give us. As Mark said, we're a small community and all the support you people can give us down here, we're really going to appreciate it.

**The Chair:**

Thank you.

**Mr. Wagner:**

Mr. President and members of Council, I'd like to ask Mr. David Miller, President for the Society for the Preservation of the Duquesne Heights Incline to please step forward to accept this resolution.

**Mr. Wagner presents**

No. 827 WHEREAS, The Duquesne Incline was opened to the public in May of 1877, carrying passengers up and down Coal Hill now known as Mount Washington-Duquesne Heights, and

WHEREAS, in November of 1962 The Duquesne Incline was closed for repairs and was in danger of being closed forever, and

WHEREAS, the residents of Duquesne Heights with dedication and enthusiasm, raised the funds to make the

necessary repairs and the incline was re-opened on July 1, 1963, and

WHEREAS, the Port Authority of Allegheny County purchased the incline in 1963 and since that time has leased it for \$1.00 per year to the Society for the Preservation of the Duquesne Heights Incline, and

WHEREAS, The Society has assumed full responsibility for the operation and maintenance of the Incline through much voluntary work and contributions.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh does hereby congratulate and salute The Society for the Preservation of the Duquesne Heights Incline, the residents of Mt. Washington-Duquesne Heights and the Port Authority of Allegheny County and all others responsible for keeping the Duquesne Incline, a working museum, open and running.

BE IT FURTHER RESOLVED that the Mayor and the Council, on behalf of all citizens of the city, wishes the incline a happy 111th birthday, with hopes for many more ups and downs, carrying passengers, in the years to come.

**Mr. Wagner** moved to adopt the resolution.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Members of Council, again, I'd like to introduce Mr. David Miller who is the President of the Society for the Preservation of the Duquesne Heights Incline. Just this past Friday they celebrated the 111th anniversary with

the unveiling of a plaque on the observation deck. On that plaque it lists all the major contributors and many other people involved in contributing to the observation deck.

David is going to say a few words about the present state of the incline. It's in very good physical shape but financially it's had some problems. Hopefully, the citizens of this City can rally behind it, and not only the citizens of this City but the people in Allegheny County and Western Pennsylvania. It is certainly a jewel for the City of Pittsburgh; people who visit this City from all over the world travel on this incline and get a magnificent view of our great City. It's one of two left and it certainly is a jewel and we commend the Society for all the work they've done.

**Mr. Miller:**

Thank you, members of Council. We appreciate this recognition very much. The message to the community now, as it was 26 years ago, is, it's your incline; use it or lose it.

Our business has declined by approximately 50 percent in the last 10 years. I'll not go into that; it's difficult to discuss without appearing to knock other people. But, rising costs of insurance, changing patterns of transportation for business purposes and the like, have forced us to raise fares and we still have difficulty meeting our obligations for important maintenance that is inevitable in anything that is 111 years old.

We need, in addition to the ridership created by visitors, and I'll just add that if everybody in the County rode the incline once every other year, we'd have so much business we wouldn't know what to do. So, your occasional ride counts so much. Bring your friends.

We also need something to enliven West Carson Street at the bottom. Station Square needs to be expanded so as to incorporate the large building. That will do so much for what is a dead end of town, and thereby make the incline that much more attractive.

Thank you for this opportunity to be with you and thanks for your recognition.

**Mr. Coyne presented**

No. 784 Resolution providing for an Agreement or Agreements with the Hazelwood Little League Association for professional services in connection with their Summer Baseball Program, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, in the Department of Parks and Recreation. —  
**-(SPONSORED BY MR. COYNE)**

Also,

No. 785 Resolution providing for an Agreement or Agreements with the 15th Ward Volunteer's for professional services in connection with their Football Program, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, in the Department of Parks and Recreation. —  
**-(SPONSORED BY MR. COYNE)**

Also,

No. 786 Resolution authorizing the City of Pittsburgh, through the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements with the Port Authority of Allegheny County whereby the Port Authority shall have permission to utilize a portion of the Zoo Parking Lot #2 as a "designated Park-N-Ride Area."

Also,

No. 787 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation on behalf of the City of Pittsburgh, to enter into a License Agreement or Agreements with the Bell Telephone Company of Pennsylvania to allow installation of communications equipment on, over, under, along and across a certain part of property in the City of Pittsburgh, known as the Wabash Playground, situate in the 20th Ward, designated as Block and Lot No. 19-H-284 in connection with service in the area.

Also,

No. 788 Communication from Director Brown, Department of Parks and Recreation, requesting permission for herself to attend the Urban Park and Recreation Alliance meeting in Cleveland, Ohio from June 2-4, 1988, at a cost not to exceed \$500.00, payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation. A city vehicle will be used for this trip. The Alliance consists of the Directors of the Department of Parks and Recreation of the 30 largest cities in the United States. The meeting provides a valuable opportunity to discuss, in a small group, the problems and solutions to problems of major urban park and recreation departments.

Also,

No. 789 Communication from Director Brown, Department of Parks and Recreation, requesting permission for Michael Radley to attend the Peachtree 10K Road Race in Atlanta, Georgia from July 2-4, 1988, at a cost not to exceed \$650.00, payable from Code Account 1838, Miscellaneous Services. The Department of Parks and Recreation is sending a representative to

observe the logistics and operational procedures of Atlanta's 25,000 runner road race, in order to enhance the programming of the City of Pittsburgh's Great Race.

Also,

No. 790 Communication from Director Brown, Department of Parks and Recreation, requesting permission for Herbert Ellerbrock, to attend the 12th Annual International Herpetological Symposium in Newark, NJ, from June 15-18, 1988, at a cost not to exceed \$728.00, payable from Code Account 1852, Miscellaneous Services. Mr. Ellerbrock will be attending the symposium to enhance his knowledge of captive propagation and husbandry of reptiles and amphibians for the benefit of the Pittsburgh Zoo.

Which were severally read and referred to the Committee on Parks and Recreation.

#### Mr. DePasquale presented

No. 791 Resolution amending Resolution No. 557, effective July 20, 1987, entitled: "Providing for an Contract or Contracts, or use of existing Contracts, for the Roof Rehabilitation and Masonry Painting of No. 5 Police/No. 8 Fire Station; and providing for the payment of the cost thereof," by increasing the total project allocation by \$47,000.00 from \$40,000.00 to \$87,000.00, chargeable to and payable from Code Account EC 85-52.

Also,

No. 792 Resolution amending Resolution No. 112, effective March 8, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the P.J. McArdle Roadway Sidewalk Rehabilitation; and

providing for the payment of the cost thereof," by increasing the total project allocation by \$11,000.00 from \$225,000.00 to \$236,000.00.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 793 Resolution providing for the issuance of a warrant in favor of Disposable Waste Systems, Inc. in the amount of \$3,393.63 for the repair of a disposable waste system at the Pittsburgh Zoo, chargeable to and payable from Code Account EC 88-31.

Also,

No. 794 Resolution providing for the issuance of a warrant in favor of Westinghouse Elevator Company in the amount of \$19,300.00 for the purchase and installation of replacement handrails on the escalator at the Pittsburgh Zoo, payable from Code Account EC 88-31. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 795 Resolution further amending Resolution No. 390, effective April 30, 1985, as amended by Resolution No. 611, effective September 21, 1986,

entitled: "Providing for an Agreement or Agreements, or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome and Satellite Domes; and providing for the payment of the costs thereof," by increasing the total project allocation by \$250,000.00 from \$550,000.00 to \$800,000.00.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Lyons** presented

No. 796 Resolution nominating Buildings 2, 3, 4 and 5 at the South Side Pittsburgh Works, LTV Steel Corporation, to be Historic Structure under Section 513 of Chapter 1007 of the Pittsburgh Code. —(SPONSORED BY MR. LYONS)

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 797 Resolution providing for the filing of a Community Development Block Program Grant Final Entitlement Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program; and



the allocation of the \$15,942,000.00 within the various City departments and City Council; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 798 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$143,600.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program. The Application is in conjunction with the rehabilitation of seven (7) units in the Garfield neighborhood to be sold to low income tenants.

Also,

No. 799 Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$143,600.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. The Application is in conjunction with the rehabilitation of seven (7) units in the Garfield neighborhood to be sold to low income tenants.

Also,

No. 800 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Homewood Brushton Revitalization and Development Corporation for an amount not to exceed \$15,000.00, payable from the Neighborhood Housing Fund for curb and sidewalk replacement work, sewer work, and a barrier wall to facilitate the residential development at URA Dispo Parcel 13, Phase II. The redeveloper is a Pennsylvania corporation. The officer is Mulugetta Birru, Executive Director. The address of the corporation is 805 N. Homewood Avenue, Pgh., PA 15208. Homewood Brushton Revitalization and Development Corp. has proposed development of six (6) single family units in the 13th Ward of the City of Pittsburgh.

Also,

No. 801 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Hill Community Development Corporation for an amount not to exceed \$15,000.00, payable from the Neighborhood Housing Fund for excavation to facilitate the residential development at the 1500 block of Colwell Street (Block 2H Lot 255, Block 2H-256, Block 2H-260). The developer will construct four (4) single family units in the 3rd Ward of the City of Pittsburgh. The redeveloper is a Pennsylvania corporation. The officer is Wilbert Young, Executive Director. The address of the corporation is 2015-17 Centre Avenue, Pgh., PA 15219.

Also,

No. 802 Resolution providing for an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation in which the Urban

Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of four (4) single family units located in the 1500 block of Colwell Street, to be constructed in the 3rd Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The sales price of the units is \$71,800.00. The total amount of Neighborhood Housing Program funds set-aside for this project will not exceed \$105,000.00. The redeveloper is a Pennsylvania corporation. The officer is Wilbert Young, Executive Director. The address of the corporation is 2015-17 Centre Avenue, Pgh., PA 15219.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff for Mr. Pollock presented**

No. 803 Resolution providing for an Agreement or Agreements with Local Educational Agencies, private-for-profit businesses, non-profit organizations and various agencies to provide various services including, but not limited to, coordination, assessment, support services, pre-vocational and/or vocational training, job search assistance, job counseling, remedial education, basic skills training, institutional skills training, adult literacy training, vocational exploration, job development, pre-apprenticeship programs, disseminating information on program activities, follow-up services and program evaluations to qualified disadvantaged older workers, adults and youth, for the implementation of the City of Pittsburgh's II-A State Educational Grant Program, at a cost not to exceed \$236,000.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 804 Resolution providing for an Agreement or Agreements with private-for-profit businesses, non-profit organizations and various agencies to provide various services including, but not limited to, coordination, assessment, support services, pre-vocational and/or vocational training, job search assistance, job counseling, remedial education, basic skills training, institutional skills training, on-the-job training, education-to-work transition activities, literacy training, work experience, vocational exploration, job development, pre-apprenticeship programs, disseminating information on program activities, follow-up services and program evaluations to qualified disadvantaged older workers, adults and youth; to also provide various services including but not limited to job development, support services, financial and personal counseling, as well as costs associated with the effectuation of grievance procedures, and to provide payment for the costs thereof in order to support, implement, and administer the Job Training Partnership Act, for the implementation of the City of Pittsburgh's II-A State Educational Grant Program, at a cost not to exceed \$1,672,000.00, chargeable to and payable from the various JTPA Trust Funds, federal funds.

Also,

No. 805 Communication from Director Turner, Department of Finance, requesting permission for Daniel S. Foecking and Robert Smulski to attend the PA Earned Income Tax Officers, Administrators and Collectors Seminar in Harrisburg, PA from June 12-14, 1988, at a cost not to exceed \$890.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance. At this 3-day seminar legislative developments will be the initial topic of discussion.

Also,

No. 806 Communication from Director Turner, Department of Finance, requesting permission for Judy Gula to attend a seminar on Advanced Money Management in Chicago, Illinois, from June 12-14, 1988, at a cost not to exceed \$950.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance. Ms. Gula, in her position as Investment Officer, is responsible for a wide array of City investments and this seminar should be invaluable for her to continue to manage city investments in a professional, prudent manner.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 807 An Ordinance amending Title Five - Traffic, Article III - Towing, Chapter 521 - Scofflaws, Article VII - Parking, Chapter 541 - General Parking Regulations, Chapter 543 - Parking Meters, and Chapter 545 Off-Street Parking by removing the penalty of jail sentence and by imposing on the registered owner of a vehicle the responsibility for any parking violation.

Also,

No. 808 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for John Staudacher, Senior Programmer Analyst and Andrew Mesaros, Programmer Analyst 3, Department of City Information Systems, to attend various Computer Aided Dispatch (CAD) consortium meetings which will be held in various cities at various times this year, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account (PSTA).

Also,

No. 809 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for Chief Ralph Pampena, Bureau of Police, to attend the National Executive Institute, FBI Academy in Quantico, Virginia from May 31 - June 2, 1988 and August 30 - September 4, 1988, at no cost to the City. Topics to be discussed are as follows: The Impact of Future Social, Economic, and Political Trends on Law Enforcement; Labor/Management Relations; United States Foreign Policy; Drug Demand Reduction; and Public Policy Formation.

Also,

No. 810 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for Battalion Chief Jack Carrington, Bureau of Fire, Department of Public Safety, to attend a course entitled: "Command and Control Fire Operations" at the National Fire Academy in Emmitsburg, MD, from July 31 - August 12, 1988, at a cost not to exceed \$183.00, chargeable to and payable from Code Account (PSTA), Bureau of Fire, Department of Public Safety. This is a two week course linking two subjects of interest to fireground managers--operations and safety.

Also,

No. 811 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for Deputy Chief Robert Kolenda, Bureau of Fire, Department of Public Safety, to serve on a panel for the City of Philadelphia as a rater for the administering of a Deputy Chief oral examination from June 12-19, 1988, at no cost to the City.

Also,

No. 812 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for Police Officer Robert Wydrenski, Bureau of Police, to attend the NRA Rifle Instructor School at the Allegheny County Police Academy in Allison Park, PA from June 13-17, 1988, at a cost not to exceed \$315.00, chargeable to and payable from Code Account (PSTA), Bureau of Police, Department of Public Safety. Officer Wydrenski will be a certified rifle instructor when he completes this course. As a rifle instructor, this training will be used to train our officers.

Also,

No. 813 Communication from Director Glenn Cannon, Department of Public Safety, requesting permission for Margaret Rizza, Public Information Coordinator, Bureau of Administration, to attend the International Association of Chiefs of Police (IACP) Effective Media Practices for the Law Enforcement Executive Seminar at the Crown Plaza Hotel in Rockville, MD from June 1-3, 1988, at a cost not to exceed \$977.00, chargeable to and payable from Code Account (PSTA), Bureau of Administration, Department of Public Safety. This seminar helps participants become more accustomed to routine and crisis media interviews and news conferences.

(PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

Also,

No. 814 Resolution providing for a Contract or Contracts, or the use of existing Contract or Contracts to purchase Pro-gard Trunk Organizers for the Bureau of Police, at a cost not to exceed \$14,000.00, chargeable to and

payable from Code Account No. 1450, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on General Services.

The Chair (Pro tem) presented

No. 815 Resolution granting unto the Giant Eagle, Inc. their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a bus shelter on a portion of the sidewalk of Penn Avenue in the 7th Ward of the City of Pittsburgh.

Also,

No. 816 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at Oranmore and Brintell, at a cost not to exceed \$450,000.00, chargeable to and payable from Code Account PW 86-13, Oranmore and Brintell.

Also,

No. 817 Communication from Director Louis Gaetano, Department of Public Works, requesting permission for Cindy R. Pecuch, Assistant Producer/Writer, to attend a script writing workshop for non-broadcast television conducted by the International Television Association in Rockport, Maine, from July 3-9, 1988, at a cost not to exceed \$1,212.75, payable from the Community Communications Trust Fund (CC), Bureau of Cable Communications, Department of Public Works. Ms. Pecuch will participate in courses and writing exercises including Developing Research Agenda, Analyzing the Audience and the Client, Developing Appropriate Objectives, Transitions, Scripts that Train, Visualization, Writing

the Concept, Narrative Style for Video, and Creating Characters and Dialogue.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 818 Communication from Dante Pellegrini, City Solicitor, submitting a report of settlements of Claims not exceeding \$750.00 for the First Quarter of 1988, payable from Code Account 1081, Petty Claims, and also a report of settlements of Claims in excess of \$750.00 for the First Quarter of 1988, payable from Code Account No. 46, Judgments.

Also,

No. 819 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the Brookside Project, a turnkey housing development proposed for Brookside Avenue. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

#### REPORTS OF COMMITTEES

Mr. Pollock presented

Bill No. 820

Report of the Committee on Finance for May 18, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 663

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Liberty Welding Company in the amount of \$1,817.50 in payment for the rebuilding of the engine of the miniature train at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I want to explain my abstention which basically is a no. The dollars are for the Zoo. I repeat, three-quarters of the people that use the Zoo, the Aviary and the Conservatory are non-City residents. I think we should give the Zoo to the County. I vote no but I'll abstain.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 664

A Resolution entitled, "Resolution transferring the aggregate amount of \$575,000.00 from various code accounts to Code Account SPP (254359), Special Parks the amount of \$65,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$510,000.00 in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 679

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of 3M Corporation to cover the costs of materials used for the City's neighborhood street sign test program."

Which was read.

Also,

Bill No. 680

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pioneer Supply Company, Incorporated, to cover the cost of materials for manufacturing and installing neighborhood street signs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 686

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 821

Report of the Committee on Planning, Housing and Development for May 18, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 632

A Resolution entitled, "Resolution amending Resolution No. 1041, effective December 22, 1987, entitled: 'Providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing Contracts to manufacture, supply, install and provide other services related to purchasing and installing new street signs,' by increasing the project allocation an additional from \$290,000.00

to \$1,790,000.00."

Which was read.

**Mr. Ferlo:**

Mr. President and members of Council, I'd like to offer an amendment to Bill No. 632. The bill has to deal with the increased expenditure of \$1,500,000 for the street sign installation program that was discussed at length in the Committee Meeting. Also, I'd like my comments brought forward on this matter.

But the following amendment is to Bill 632. I've supplied members of Council with a copy this morning and passed one around just now. I'd like to read it:

"Section 3. The Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, are hereby authorized to enter into agreement or agreements, contract or contracts, or to make use of existing contracts in the form approved by the City Solicitor for the purpose of installing new street signs only with consultants or vendors who agree to employ residents of the City of Pittsburgh and only residents of the City of Pittsburgh, in all work directly involved in the production, assembly and installation of the new street signs, the removal of existing signs and the recordation of new signs at each location. Residents of the City of Pittsburgh are those persons who shall be domiciled in the City at the time that they begin work on this contract and shall be domiciled in the City throughout the period that they work on the contract."

I'll just speak very briefly to this point. Obviously, members of Council, I expressed my dissatisfaction for a

number of reasons at the expenditure of \$1,500,000 for the new City Street Sign Program. I think I made it quite clear that I supported the sense of Council on the need to make sure that in places where there were not street signs, that the first priority has got to be to get the street signs put up. I applaud Council's earlier effort at making sure that a more interesting and a reflective sign is used; I applaud that. My objections have to do with the expenditure of \$1,500,000 for two reasons: one, I felt very strongly that this work should not be let out to an external contractor, but I felt strongly that the work could be done over a period of time by City employees. That doesn't seem to be the sense of my colleagues on Council.

With that in mind, and recognizing my other concern that there are all other kinds of Public Works, priorities, and I didn't see a value of this expenditure at this time, in recognizing that this bill will probably be passed today, I would like to, at this time, offer this amendment, as I have read, and the basic gist of the amendment is that if we're going to dole out \$1.5 million, and if we're not going to do this in-house, could we please, members of Council, guarantee that those who benefit from the contract in terms of the people employed, are at least City of Pittsburgh residents. My argument originally was that I saw no reason why a few people couldn't be added on a part-time basis or as-needed basis to Public Works in order to get this sign together. We know for a fact that people in-house have the expertise and the skills to put these signage together. The materials are available from such companies as 3M, among others.

Leading that battle, I would at least like to offer this amendment, and it's my fervent hope that my colleague would join me in attaching this rider to

this resolution.

(REMARKS ON FOLLOWING PAGES)



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(MR. FERLO'S COMMENTS ON BILL NO. 632-Wednesday, 5-18-88)

Mr. Ferlo:

Thank you. On this issue of 632, and its companion bill 633, I would like the Public Works' Director to come forward, and anyone from City Planning. I am sure a number of other colleagues have questions on this appropriation.

Lou, you had given members of Council a copy of the request for proposal, and we held this bill up the last time, and you were kind enough to send this information to us.

I have a number of concerns about this expenditure. I think certainly the most important priority for city government and your department clearly is the replacement of signs, especially the hundreds, if not several thousand, signs that need to be put up throughout the city. You have mentioned repeatedly to this Council you have a problem with vandalism, and I know for a fact that that is a problem.

In addition, I have been throughout the neighborhoods, and it is clear that for years neighborhoods and streets have gone unmarked without signs. So I would not in any way want to impede the ability or the necessity of the Administration to move forward and get these signs put up.

But rather, what we have here is a major expenditure of \$1.5 million. And I will ask the public to look at these two signs (indicating). These are the signs currently being used by the city. And to look at this sign, which I believe is to be the sign you would be using in the future, obviously there is a significant difference, possibly in the quality, maybe even the materials that are being used. The blue one being reflective in nature.

The problem that I have is, one, the tremendous increase in the expenditure of \$1.5 million, and the priority of this expenditure at this time versus other kinds of expenditures. In the short time I have been on City Council, since January 4th, every, probably, twice a week I have been out in the neighborhoods, and you know that because I have been bugging you with countless laundry lists of assignments that need to be completed. But weigh it against other necessities relative to Public Works, such as walls that are falling down in the city, such as steps in the South Side and other neighborhoods that are falling down, such as the fact that major thoroughfares and streets in the city don't even have lines painted on them so people know where they are driving, causing public safety. I could list for 20 minutes all other kinds of priorities of expenditures in the Public Works area that I think are of more immediate priority and greater value than the expenditure of \$1.5 million for the placement of the new reflective signs.

What I wanted to ask you, though, is that because I am not clear I will win the support of Council to vote this down, the

expenditure, I can't see any reason why, instead of bidding this out to an external contract -- because your RFP leaves it wide open, your requests for proposal would entertain both costs just for the materials upward to an external contractor doing everything, from the materials to the design, to the placement, the work crews that would go out. My question to you is why should we do it this way? What is the big hurry? Talk about the other priorities that we have.

My question basically to you is why can't your department, Public Works, do this in-house, not in the immediate time period of between now and the end of the year, but just start a regiment of sign replacement and additions over the next one, two, three, four years, instead of coming to Council now and asking us to spend \$1.5 million when we have all these other priorities?

Mr. Gaetano:

First, we are looking at something like 20,000 to 25,000 signs in the City of Pittsburgh right now, of which, on the street signs, we are lucky if we have 40 or 50 percent of our street signs up in the city.

In the past three, four, five years, this particular Council itself has been on my back, really public safety wise, that people can't find where to get to the street, especially when there is a problem with emergency medical, fire, they just don't know where the street is.

As to my particular department putting all the signs up, we basically put a lot of street signs up in November, December, January, when we are not doing anything else. We just don't have the personnel to totally do it. We would have to bring in another sign crew completely, or put on another sign crew, and we are talking, like, seven, eight people, and an expenditure of \$180,000.00 or \$200,000.00 a year. Plus, we are married to those people now if we did something like that.

The basic reason that we have actually started the program was because of the wish of this Council itself, who many times have told me and discussed with me that, "There is no sign here, Lou, that we don't want this sign," and the actual types of the new material was actually a resolution by Councilman Wagner, who requested the reflective signs be put up and did have it passed.

We have put all new street lighting within the City of Pittsburgh, and we are doing that right now. What we would have liked to have done was not only put the new lights up, but also the signs up in the various communities as we go along; we do the signs, the lights, and actually redo the community completely with the hardware that we are doing now. That is the basic reason we are doing it. Public safety really was the number one reason, police, fire and emergency medical not being able to get to the area or the streets because the signs weren't

up.

I would love to put them up myself. We can make the signs, I would be lying to you if I say we don't. We are doing it right now.

Mr. Ferlo:

Who made this sign (indicating)?

Mr. Gaetano:

I think it was made by us.

Mr. Ferlo:

By Mr. Walsh.

Mr. Gaetano:

We can make signs, and we do that. Just like you said, we are putting the blue one up right now in different areas and replacing. We are not using the old sign now, we are doing it ourselves. The actual contract that you have, I think I discussed it with you, is three parts, whereas the contractor, if we do give it out to a street contractor, will not be being doing all the signs in the City of Pittsburgh. I will be still putting up, in certain sections, the signs. So it is a large contract, but the contractor will not make all the money. The basic portion of the contract that is going out for the City of Pittsburgh, 70 or 80 percent, is labor of putting them up. So that \$1.9 million, you are talking, like, \$1.4 million, really is the cost of putting them up and not actually making the sign itself.

My labor force, I just don't have the people. I would like to do it, I would love to do it, but I don't have the people to do it on a year round basis.

Mr. Ferlo:

Let me ask you one more question, and I will give up the floor.

First of all, I applaud the efforts of the department. The signs are wonderful. I think Council in its wisdom was correct about the need for the signs. I have no problem with the reflective nature of the new signs. Everything is wonderful, I don't dispute that. Mr. Walsh is a hell of a guy, he seems to be really on top of the ball, and he is extremely qualified to do this. In fact, I think he is so well qualified to do this I think it should be down in-house.

What I would ask the Administration to consider, prior to us

approving -- because as you know, once we approve \$1.5 million and the request for proposal, you are off and running and it never comes back to this table.

What I would like to see is at least the Administration think about an issue that you raised with the Administration, I know with me privately it has been raised in the past and it has been raised in the community. You have talked in the past, the Administration, about the possibility of engaging and entering into contracts with neighborhood based organizations to perform various services. The Administration was thinking about entertaining contracts with neighborhood groups to take care of some of the parks, the little league fields, some of the things that involve clean up in the community.

I would suggest that it is possible that there could be a neighborhood based development corporation that could do this kind of work. You already have the materials or you can purchase the materials, you already have the equipment and the expenditure to cut these letters out and the work that is involved with putting it down. I am saying can we not use a little creativity and try to explore other arrangements, either your doing it in-house over a period of time that is greater than just the one year period, or what the cost would be for you to add some staff people to spread it out. And thirdly, is there a possibly that we could give a contract to a neighborhood based minority group, community group, that could be divided? Let them take on the assignment working with

Mr. Walsh, who is very able and qualified to direct this activity, and I would suggest that it could be done better, quicker, it could be a source of employment for some neighborhood people, and I think it could be done quicker than the external contract that I fear we will provide you with once we approve this expenditure.

Mr. Gaetano:

I don't know if the neighborhood groups actually have the equipment to do something like this. It is more than just putting a sign up.

Mr. Ferlo:

Working with you.

Mr. Gaetano:

Well, in putting a street sign up you have a major liability. If you are putting a sign up on a pole with wires and everything else, you are dealing with Duquesne Light, Bell Telephone, different signs there that have to be moved, taken down. Also part of the contract is also putting a lot of new

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poles up for these signs. I don't know if we have -- we don't have the equipment enough to lend them, say, one of our lift trucks or something like that, because ours will be used. So that neighborhood would have to have lift trucks and everything else.

So you are hitting us with something that I really don't know. I couldn't answer that at this time, totally your question, not knowing the whole capability of what these neighborhoods groups would have. It is something maybe we can look into, yes, I would be lying if I said we couldn't look into something like this.

Mr. Ferlo:

You have admitted to us that your department could do this --

Mr. Gaetano:

Yes, we do it now.

Mr. Ferlo:

-- except for not having enough people.

Mr. Gaetano:

I could do it, but if I would commit to doing the whole thing -- with the people I have now, it would take me six years in the winter months to put these signs up with just the people I have right now. Like I said, if I put those seven, eight people on, then we marry these people on the city payroll, and you are talking \$200,000.00.

Mr. Ferlo:

Why can't they just be perceived as -- you know, you are initiating a Public Works' project, they have a limited employment opportunity, you can hire from the union hall even. People go off from the union hall all the time to do selected jobs. I can't imagine that the expenditure needs to be a million and one-half dollars. That is the problem I am having with the legislation.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL, STENOGRAPHIC REPORTER)

**Michelle Madoff:**

I'll second it for discussion and may I discuss it?

Mr. Ferlo, I'm glad you applaud Council for its support on various aspects of the legislation; one, for example, the fire and police and paramedics have not been able to find houses because they didn't have signs and streets. We feel, and we have for many years, that that is a very important project.

I hope you will applaud the information that we're about to give you, that this Council tried desperately to pass legislation similar to that of Boston where we would mandate that a percentage of 50 percent, I believe, and you can help me, Mr. Woods, was to be for jobs for City employees. We were told by the Law Department that we cannot do that; we do not have the power. And if you wish to pursue this, I would suggest that you pursue it with the Legal Department and if you can come up with a ruling that says that we are empowered to give jobs to City residents, I will be the first in line to support you as I'm sure will the rest of my colleagues, not only on this bill but on all projects and contracts that are issued through the City wherever possible.

**The Chair:**

I would like to say something. I sympathize and I kind of agree; I think most Councilmembers do and would like to help our residents that are employeeed, we want to see our companies that are located here in the City of Pittsburgh do that. But if we would pass something like this, I think we'd become an island because, and I'm a construction worker by trade, that would mean that I could not go to work in say Sharpsburg; they would not let me in there because I'm a

resident of the City of Pittsburgh and they want employees coming there to work on their construction projects that are just residents of Sharpsburg. Same with their companies; they would not accept one of our companies located in the City of Pittsburgh bidding on one of their projects.

I think that you have a good idea and I think to blindside us at this time with this amendment, you know, you just can't debate it here properly with all the facts. You may have some facts and figures that you might want to share with us, but I don't think this is the place to do it. This is a Legislative Meeting; this should have been discussed, if you felt this way, at the Committee Meeting. I think that if Council would pass this amendment, we are wrong because we have a lot of suburban areas out there, we have a lot of other counties, that our companies do a lot of business with and this legislation will just spread. I would ask Council to defeat this amendment.

**Mr. Ferlo:**

In response, very quickly. First of all, I disagree with you entirely, Mr. Woods. The only other large municipality is the County government and if they had the power to do anything relative to residency, I would encourage them to do that also. By their mandate, obviously, that residency would be all those individuals domiciled in the municipality of the County government, and that would include any City resident. No other municipality in the County has the kind of resources and spends the kinds of monies budgetary that we do, and for that reason I would disagree with you.

This is a limited cooperation agreement. We are doling out \$1.5 million. We have every prerogative

whatsoever to make, as part of that agreement between the parties receiving this work, such an amendment as I have offered.

In response to Councilwoman Michelle Madoff, history will correct her in a couple of instances. First of all, the legislation that she had talked about, the Jobs With Pittsburghers resolution, I believe was an action that Mr. Flaherty at the time had suggested. It never went to a full-fledged political discussion of Council passing the ordinance and then entertaining an override with the Caliguiri Administration. That was just not the case in the history of that legislation. In fact, since the debate around the Jobs With Pittsburghers ordinance offered by Mr. Flaherty, we now have some fundamental case law on the books, a Supreme Court decision which, in fact, upheld the City of Boston's jobs residency ordinance regarding contracts with large construction firms.

What I am proposing today, however, has nothing to do with the notion of a broad-sweeping law such as the Jobs With Pittsburghers ordinance which would be legal. But that is not at debate today and that is not my intent. My intent, very frankly, is to suggest, as I have stated, that if we're going to spend \$1.5 million for putting street signs up, there's no reason why we shouldn't show favoritism to City of Pittsburgh people who are in need of employment. I'm only suggesting that if we're going to give out \$1.5 million, and if you're not going to accept my advice of doing it in-house which we have the capability and the expertise to do, and if everybody is so concerned about the City budget and trying to end the City budget at the end of the year with a fund balance which nobody seems to be worrying about, I would suggest that we have the prerogative and certainly the

legal power to enter into a contract, and as part of that contract for those who want to receive the work, they have to give jobs to City of Pittsburgh residents. It's perfectly within our legal rights and I would suggest rather that it's morally our obligation given the kind of unemployment situation we have in the City of Pittsburgh.

For that reason, I would hold firm and ask Council to support the amendment, and if not, I would be happy to recommit the legislation if the Chairman were so willing, and discuss this further. Saving that, I would have to ask for a vote on the amendment for jobs for Pittsburghers.

**The Chair:**

All in favor?

**Michelle Madoff:**

I think it's very unfair to end on that note.

**The Chair:**

I don't agree with everything he said but I interpret his last objection was to me and I'm willing to let him stand on what he said.

All in favor of the amendment?  
Opposed?

**Mr. Ferlo:**

Aye.

**The Chair:**

The amendment fails.

**Michelle Madoff:**

Can we resubmit the bill for a legal opinion?

**The Chair:**

That's over.

Is there any other discussion on any other bills?

**Michelle Madoff:**

On the same bill. Can we resubmit the bill for a legal opinion as to whether what Mr. Ferlo said --

**The Chair:**

The amendment has failed.

**Michelle Madoff:**

I know but the bill itself hasn't failed yet.

**Mr. Ferlo:**

Motion to recommit, Mr. Chairman.

**The Chair:**

Wait a minute. Please. The amendment has failed; it has failed for this session. Now, there's no other reason to recommit the bill because you can't discuss the amendment. Is there any other discussion on any other bills?

**Mr. Wagner:**

On that particular bill, Bill No. 632, I simply want to state that if legally that can be done, it's been advised to this Council that it cannot be done in the past. That's the reason why I did not support my colleague.

**Michelle Madoff:**

Point of Order. I was not allowed to speak again and you're letting Mr. Wagner speak.

**Mr. Wagner:**

This is on the bill; it is not on the amendment.

**The Chair:**

He's on the bill.

**Michelle Madoff:**

I was speaking on the bill.

**Mr. Wagner:**

Consequently, if legally the law has changed and we can do that, I would suggest that a piece of legislation be introduced as a coverall for all legislation of this type.

But in regard to this particular bill, Bill No. 632, I would like to see the bill passed. It is a neighborhood bill; street signs are everywhere in this City and they are inadequate. I shouldn't say they're everywhere but they should be everywhere and they are inadequate, particularly as it relates to public safety. And we all can recall incidents within the last year where simply street signs indicating the block of the street of which many of these signs will have on them, would act as a vehicle to let our emergency personnel know precisely where they are when they're responding to emergency calls. This piece of legislation began back a couple years ago. I think it's a great idea and the quicker we get these signs up on all streets, and when I say all streets I mean every street in the City must have a street sign, the better off we're going to be.

I also would like my comments brought forward for the record. I have indicated to the Director at the previous meeting, Director Gaetano, I would like to see the streets without signs to get



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signs first, and that to be done by City of Pittsburgh employees and then move throughout the City in blocks if they're going to go out by contract.

Furthermore, I'd like to see us put these signs up such, and I want this on the record, such that it's very difficult to take them down because it appears to be the in thing to steal street signs, not only in Pittsburgh but everywhere, and we need to make sure that these are put up securely so that they cannot be stolen.

(REMARKS ON FOLLOWING PAGES)

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(MR. WAGNER'S REMARKS ON BILL NO. 632-Wednesday, 5-18-88)

Mr. Wagner:

Director, a couple of questions, a couple comments. As you know, I have been a strong supporter of this and I think it is a good investment to the city. Do these dollars come out of capital dollars?

Mr. Gaetano:

Yes.

Mr. Wagner:

Including the dollars to install the signs?

Mr. Gaetano:

That would be split up. Now, as I mentioned to Councilman Ferlo, we would be putting up a lot of these ourselves or making a lot of these ourselves. When I do it, it would come out of my operating fund and then the actual labor would come out of my operating fund and not out of this capital expenditure. So that capital expenditure, even though it states "one point X dollars," may be much less if I do the signs in the wintertime, which I intend to do.

Mr. Wagner:

So it is going to be a combination thereof?

Mr. Gaetano:

Yes.

Mr. Wagner:

The most frequent complaint you hear of people coming to the City of Pittsburgh is that they can't get around in the city, and one of the reasons they can't get around is there is not good signage out there and good directions. Hopefully this will address the problem.

I agree with you, though, the most important issue here is a public safety issue. And we right now have many streets throughout the city that do not have signs on them. We have just put in a new computer aided dispatch system. I think it is critical that we move forward as quickly as possible to get signage up on streets, in particular, that do not have signs now.

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That is my question to you: Where is the priority being placed, whether it is in-house or by contract, with streets that do not have signs versus streets that have signs?

Mr. Gaetano:

Most of the areas, if a street does not have a sign right now, I do get calls and I put them up immediately, immediately.

What we intended to do in a particular project was go into a community and actually do the whole community, one community after another. But that doesn't stop me from going into an area outside that particular community to put up this particular sign that we are missing somewhere on the street. I do that right now and have been doing that, and I will continue to do that. I have mentioned many times that on a call if you don't have a sign on your street at this table, to please contact me and I will put that up immediately.

But we intended to do it on a community by community basis. And I would have liked to have followed by streetlighting program and then put the streetlights up, the new signs up, and got out of the community and went all the way around.

But the way the contract reads, we hope to have the whole thing done within a year. So every sign in the City of Pittsburgh should be up within a year.

Mr. Wagner:

I would just like to throw out an idea, and I am glad Director Cannon and I believe Mr. DiNardo are here so they hear this. I can see your philosophy of contract neighborhood by neighborhood putting the signs up. But if Public Safety has certain streets that are not identified, I would like you with your people in-house to put the signs up, and I would like Director Cannon, through his staff, to let you know what streets are a greater priority, because they don't have any signs on them today.

One additional item. The contract, we are going to go out to bid \$1,790,000.00. Is that going to be for one contract or is that going to be broken up into different types of contracts?

Mr. Gaetano:

If you have seen the proposal, it is one contract but it is broken up three different ways. Three different ways meaning that I could have a contractor come in and actually make the sign and put it up. The second way is I could have a person just make the signs and give them to me and I will put them up. Or the third way is I could purchase just the materials and then I put them up and make the sign. So the contract is broken up into three different aspects that gives me a tremendous amount

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of flexibility.

Mr. Wagner:

You know what my concern was on the other bill that I felt was somewhat related here. I have found out since then that the company that does this illumination type work, 3M, they will deal with any company.

Mr. Gaetano:

Any, right.

Mr. Wagner:

So whoever is out there listening to this discussion, whatever company could be involved in the bidding process, I would like them to be involved in the bidding process, because the more competitive, the greater potential the contract will cost less. And so I wanted to bring that point out, that other companies -- if this is a 3M material and that is the only company that makes this material here, other companies can deal with 3M to be part of the construction of these individual signs. Is that accurate?

Mr. Gaetano:

Absolutely. I talked with them, too, afterwards.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL)

**Michelle Madoff:**

Mr. President, I think Mr. Wagner is on target. I think we have to go ahead with this bill, but I've asked Mr. Perry to search and find a bill I introduced about three or four years ago, before Mr. Flaherty's bill where we requested that we have the jobs here in the City and the Boston issue came up and we were told that legally we couldn't do it. Subsequently, Mr. Pellegrini came to this Council and said he couldn't give us an answer because it was in litigation, it had not been resolved, it had gone to a higher court.

I think it would be incumbent upon us to have a letter go immediately to Mr. Pellegrini to ask the status today of the Boston ruling and whether Boston can indeed hire its own people. And then we can introduce legislation similar to that. Would you get that, Mr. Perry, please?

**Mr. Lyons:**

The bill is necessary to be passed today and I'd like to see it passed because in the past life has been lost because of unmarked streets. However, I think that we should, at the same time, ask Mr. Gaetano to exhaust every effort to do as much, if possible, of these signs in-house. You're speaking of \$1.5 million of people that need money who are residents of the City of Pittsburgh.

While the amendment may have been out of order, but it's purpose to me was in order because I think that the people in Pittsburgh and the residents of the City of Pittsburgh should be considered in doing this work. This is only on Bill No. 632. And I certainly think that Mr. Gaetano should be further urged to use in-house and if possible temporary workers.

**Mr. DePasquale:**

Point of Order, Mr. Chairman. I'm opposed to recommittal but I do believe that a recommittal motion is in order.

**The Chair:**

I didn't say it wasn't in order; I said if the recommittal motion was for the purpose of amending this, then it was out of order because you couldn't amend it come Wednesday.

**Mr. Ferlo:**

Mr. Chairman, I would make a motion to recommit but I don't think it would pass so I'll save my breath.

**Michelle Madoff:**

Try it.

**Mr. Ferlo:**

I'll just say in closing that I think this Council lackschutzpah.

Also,

Bill No. 633

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988 as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 681

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$40,000.00 of Neighborhood Development Program Funds for a contract with the Hill District Community Development Corporation."

Which was read.

Also,

Bill No. 682

A Resolution entitled, "Resolution amending Resolution No. 549, effective July 13, 1987, entitled: 'Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program' to include provisions concerning prevention and elimination of blight."

Which was read.

Also,

Bill No. 683

A Resolution entitled, "Resolution amending Resolution No. 542, effective July 13, 1987, entitled: 'Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$450,000.00 to the Pennsylvania Department of Community Affairs for the 1987 Urban Homesteading Program' to include provisions concerning prevention and elimination of blight."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 684

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban

Redevelopment Authority of Pittsburgh to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh in matters of property acquisition and relocation of street rights of way in connection with the reconstruction of Grant Street/Liberty Avenue, Phase III; Liberty - 10th Street - 6th Avenue; and providing for the payment of the cost thereof."

Which was read.

**Mr. Lyons** moved to recommit Bill No. 684.

**Mr. DePasquale** seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 710

A Resolution entitled, "Resolution authorizing a grant with the Commonwealth of Pennsylvania, Department of Community Affairs in the amount of \$32,836.00 in connection with the Enterprise Zone Municipal Tax Exemption Program for the East Liberty Enterprise Zone; (\$31,324.00) and the North Side Enterprise Zone (\$1,512.00); execute a grant agreement with said department; and deposit said funds on receipt in the appropriate trust fund."

Which was read.

Also,

Bill No. 711

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Commonwealth, Department of

Community Affairs Enterprise Zone Municipal Tax Exemption Program for the East Liberty Enterprise Zone; and for the North Side Enterprise Zone; and providing for the payment of the costs thereof not to exceed \$32,836.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 822

Report of the Committee on Water for May 18, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 685

A Resolution entitled, "Resolution providing for a License to Duquesne

Light Company for the installation of one pole and one anchor together with all necessary appurtenances thereto on City property situated in the 24th Ward, designated as Block and Lot 46-S-87 and 46-M-174."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 823

Report of the Committee on Parks and Recreation for May 18, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 665

A Resolution entitled, "Resolution

providing for an Agreement or Agreements with the City Theatre Company, Inc., for furnishing professional services for the benefits of the residents of the City of Pittsburgh during 1988, and providing for payment of the cost thereof which is not to exceed Fifteen Thousand Seven Hundred (\$15,700.00) Dollars and shall be chargeable to and payable from Code Account No. 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 666

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not to exceed \$450,000.00 and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 667

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT; providing for the execution of the Grant Contract(s) and for the filing of requisitions and other data; approving



the Project; providing for the required assurances; providing for execution of payment vouchers on Letters of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the Special Summer Food Service Program account."

Which was read.

Also,

Bill No. 651

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ernest T. Williams, Jr. Memorial Center for professional services in connection with the East End Raiders Football Program for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,300.00 and is chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."

—(SPONSORED BY MRS. MASLOFF)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 824

Report of the Committee on Public Safety for May 18, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 530

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1987 Edition and a new Title Ten - Building, 1987 Edition."

Which was read.

Mr. Wagner:

Mr. President and members of Council, in regard to this bill, this is the changes in the various codes, we have all received a letter from Mr. Paul Imhoff, Chief of Building Inspection. There is concern on this Council, I believe, to amend portions of this bill. As of this date, there has not been a written amendment put in front of us so, therefore, I recommend we put the bill back in Committee for one more week.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

**Mr. DePasquale presented**

Bill No. 825

Report of the Committee on Engineering and Construction for May 18, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 669

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Phase 4.03, Tropical Forest Complex Exhibitry at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

I'm going to abstain so I can explain my vote. Again, we are voting for \$2,625,000 for the Forest Complex at the Zoo. Again, it's another expenditure for City residents and the debt service. We're talking about \$2.5 million. I think the total dollars out of the Pittsburgh operating budget I believe arrived today at about \$19 million. Again, this is a facility that is used three-quarters by non-City residents and I think, again, that the Zoo should be given to the County.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 670

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective 1/1/88, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing EC 88-32 by \$1,125,000.00 and by changing the funding source."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 7                NOES none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Demolition of the Rankin Avenue Pedestrian Bridge; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

I would like to ask that Bill No. 671 be recommitted. I have some concerns about \$55,000 for a demolition job for the pedestrian bridge. I would like to check on the validity of the number. I have some sources, engineers, who could tell me if that's reasonable in light of the fact that we've seen some newspaper reports and some problems with demolition jobs. I'd like to hold it one week.

**The Chair:**

Is there a second?

**Mr. Ferlo:**

On which bill?

**Michelle Madoff:**

Bill 671. It's \$55,000 for the demolition of the Rankin Avenue pedestrian bridge. It may be reasonable; it may not. I need a week to find out.

**Mr. Ferlo:**

I'm sorry. I couldn't understand why you would want to hold it.

**Michelle Madoff:**

It's a question of the price. You're concerned about a million something for the other bill; we have overruns on contracts all the time. I want to know if that's a reasonable cost. I have not had a chance to check it.

**The Chair:**

Hearing no second, the motion dies.

**Michelle Madoff:**

On Bill 671 I will abstain. I have some concerns about \$55,000 for a demolition when I have seen some real problems in demolition costs for the City and I need to have that checked out and when I do I'll report back.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 672

A Resolution entitled, "Resolution further amending Resolution No. 677, effective 8/11/86, as amended by Resolution No. 709, effective 8/25/87, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Schenley Park Underpass; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements, by naming the Consultant, and by increasing the total project allocation by \$7,000.00."

Which was read.

Also,

Bill No. 673

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Mechanical Construction work for the Department of Public Works' Traffic Division Building located in the Strip District; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**The Chair:**

I would like to say something. In what I feel is in the interest of harmony on Council, I'm going to make a number of Committee changes. I'm not going to elaborate, I'm just going to make the changes, and I think everybody knows why. I would like Council to get along better; I think there's been a lot of friction lately, not only with Councilmembers but some staff with Councilmembers. I think that has to change so I'm going to make the following changes:

I'm appointing Mr. Wagner to the Finance Committee; Public Safety, Mr. DePasquale; Public Works, Mr. Ferlo; Engineering and Construction, Mr. Coyne; General Services, Mr. Pollock; and I will take Parks and Recreation.

---

They are the new changes and the new committees and I hope we can all, for the next 18 months, work together.

**Mr. Wagner:**

I move to adjourn this meeting and meet again next Tuesday, May 31, 1988 at 2:00 p.m.

**Mr. DePasquale** seconded the motion.

And on the motion of **Mr. Wagner**

Council adjourned.

Wednesday, May 25, 1988  
Pittsburgh, PA

**Mr. Woods:**

If I may, I would like to make a motion that at Monday's meeting, we forgot to make a motion to excuse the absent member, who was Mr. Pollock. I would like to do that now.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Tuesday, May 31, 1988

No. 21

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Tuesday, May 31, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

#### ABSENT:

Mr. Coyne  
Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Ferlo presents

No. 858 WHEREAS, the Pennsylvania Alliance for Jobs and Energy (PAJE) is a ten year old Pittsburgh based non-profit organization made up of consumers working for fair, prudent social and economic policies which strengthen the local economy and benefit area consumers; and

WHEREAS, the Public Utility Commission granted Duquesne Light Company a 41% increase in electric rates totaling more than \$232 million dollars; and

WHEREAS, PAJE, the Pennsylvania Office of Consumer Advocate, the City of Pittsburgh, and numerous other intervenors petitioned to deny this rate hike on the grounds of excess capacity; and

WHEREAS, the Public Utility Commission did not consider Duquesne Light Company's generating capacity as excessive; and

WHEREAS, the City of Pittsburgh, Office of Consumer Advocate and others petitioned for re-consideration of this case and the PUC voted 2-2 ending in a deadlock; and

WHEREAS, re-consideration could result in \$60 to \$70 million in consumer savings; and

WHEREAS, Joseph Rhodes was

recently confirmed as a Public Utility Commissioner and represents the deciding vote to re-consider this damaging ruling.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh formally calls upon Commissioner Rhodes to vote for re-consideration of this case and that he do everything in his power to uphold the intent of the Public Utility Code; and

BE IT FURTHER RESOLVED, that Council requests Commissioner Rhodes and the PUC to conduct a public input hearing here in Pittsburgh on the rate request.

Mr. Ferlo moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Discussion. Mr. Ferlo, I think your intent is very honorable and you know I support what you're trying to accomplish. But you start off with a resolution to the Pennsylvania Alliance for Jobs and Energy and you end it with a request to Mr. Joe Rhodes. Which is it? I think you have two resolutions run together.

Mr. Ferlo:

I think I'm recognizing PAJE as a consumer organization that's helping —

Michelle Madoff:

Well you need to do that in a separate resolution. I'm making the point. Do you understand?

Mr. Ferlo:

No I don't understand.

Michelle Madoff:

I'll try again. Try. Concentrate. If you wish to recognize PAJE and honor them, then do so in a resolution. But your basis of everything else in your resolution is to ask Joe Rhodes, the new Commissioner, to reconsider or to move quickly and expeditiously to break the deadlock because you're right, it could save us a great deal of money. You have two resolutions in one; you don't complete the first one and you're off into the second.

May I suggest that we honor PAJE separately; I would be very happy to do that. And that we then take up the issue of asking Mr. Rhodes. I think you've run apples together with oranges.

Mr. Ferlo:

Thank you, Michelle, for confusing the resolution. But to stand corrected, the resolution is pointing out briefly what PAJE is as an organization. The basis for the resolution, obviously, is calling on Commissioner Rhodes to join in a reconsideration of the 7-2 deadlock that the PUC took. That's the essence of the resolution.

WHICH MOTION PREVAILED.

Mr. Ferlo:

A very brief comment from Chris Bathurst from the Pennsylvania Alliance for Jobs and Energy, who is not confused about the resolution.

Michelle Madoff:

He will be when I ask him a question.

Mr. Ferlo:

I doubt it, Michelle.



**Mr. Bathurst:**

Thank you, members of Council. Thank you, Jim Ferlo, for helping us to pass this.

I don't want to take up a lot of your time but certainly this is a tool that we and other consumer groups can now use as leverage to get Mr. Rhodes to reconsider the Duquesne Light increase. We are certainly acting in hoping that we can get that reconsidered. We have done that in the past and we intend to do it this time.

This will also send a clear message to the citizens of the Pittsburgh area, those who pay Duquesne Light bills and that rate base that clearly the representatives in City Council are with on their consumer side and we will use this to obviously show the ratepayers that they do have some representation and that we will use this as a tool, obviously, with Mr. Rhodes to deliver a clear message that we want the hearing to be opened up again.

I have no other messages. Thank you for your time.

**Michelle Madoff:**

Did you call Mr. Joe Rhodes and ask him whether he would be willing to do this, or have you been in contact with him?

**Mr. Bathurst:**

We have been in contact with him but the degree of what that contact is about this specific case, I'm not knowledgeable.

**Michelle Madoff:**

Joe has been an old friend of mine for years and I have a gut feeling that I

don't think you're going to have any problems and I think it would have been appropriate to discuss it with him first of all before we put the pressure to his feet.

**The Chair:**

Thank you very much.

**Mr. DePasquale for Mr. Coyne presented**

No. 828 Resolution providing for a Contract or Contracts, or use of existing Contracts to remove fire damage and make repairs to the Leslie Bathhouse at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 88-47.

**(PRIOR APPROVAL GRANTED)**

Also,

No. 829 Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by reducing EC 88-23 by \$100,000.00 NPA funds and showing \$100,000.00 prior year CD funds available; by increasing EC 88-47 by \$200,000.00; by creating a new line item (EC 88-67); and by adjusting the Summary Totals.

Also,

No. 830 Resolution providing for a Contract or Contracts, or use of existing Contracts for repairing and restoring of South Side Riverfront Park damaged by the Ashland Oil spill at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 88-67.

Also,

No. 831 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Permit Picnic Shelters, including but not limited to the Riverview Activities Buildings at a cost not to exceed \$112,000.00, chargeable to and payable from Code Account EC 85-39.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 832 Resolution providing for the issuance of a warrant in favor of G.A.I. Consultants, Inc. in the amount of \$6,382.57 in payment of a feasibility study relative to the widening of the captioned T-1 Ramp at the Stadium, payable from Code Account EC 88-19. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 833 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for the implementation of the Swimming Pool Infrastructure Study at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account EC 88-36.

Also,

No. 834 Resolution providing for a Contract or Contracts, or use of existing Contracts for the asbestos abatement program and re-insulating of piping at various City-owned facilities at a cost not to exceed \$280,000.00, chargeable to and payable from Code Account EC 86-81.

Also,

No. 835 Resolution further amending Resolution No. 274, effective March 29, 1985, as amended by Resolution No. 390, effective May 13, 1986, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof," by increasing the total project allocation by \$20,000.00 from \$70,000.00 to \$90,000.00, chargeable to and payable from the following Code Accounts: EC 85-61 \$70,000.00 and Code Account EC 86-81 \$20,000.00 TOTAL \$90,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale** presented

No. 836 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase foam concentrate to be used by the Fire Suppression Division, Bureau of Fire at a cost not to exceed \$15,400.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account 1463, Supplies and Materials.

Which was read and referred to the Committee on General Services.

Also,

No. 837 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Deputy Chief John Harpur and Captain Robert Friel, Code Enforcement, Bureau of Fire, Department of Public Safety, to attend the 73rd Annual BOCA Code Development and Educational Conference, Columbus, Ohio, June 19-24, 1988, at a cost not to exceed \$2,187.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. The main purpose of this conference is to subject proposed changes to the BOCA codes to public debate and hearings.

Also,

No. 838 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for himself to attend the Eleventh Annual Emergency Services Conference entitled, "Putting It All Together" at the Marriott Inn, Harrisburg, Pennsylvania, June 9-12, 1988, at a cost not to exceed \$525.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Also,

No. 839 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Lieutenant Catherine Vallone and Commander Earl Buford, Bureau of Police, to attend two seminars entitled, "Advanced Crime Analysis and Charting Techniques" and "Managing Intelligence Data" Orlando, Florida, June 13-18, 1988, at a cost not to exceed \$2,052.00, payable from the PSTA Code Account. The reason why we are requesting two people to attend this seminar is due to the fact that Commander Buford has a

computerized pilot program in effect to track crime and Lieutenant Vallone works in the area of investigations. (PRIOR APPROVAL GRANTED)

Also,

No. 840 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Deputy Chief Robert Kolenda, Bureau of Fire, Department of Public Safety, to attend a course entitled, "Command and Control Fire Operations" at the National Fire Academy, held in Emmitsburg, Maryland, August 21 - September 2, 1988, at a cost not to exceed \$183.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. This is a two week course linking two subjects of interest to fireground managers--operations and safety.

Which were severally read and referred to the Committee on Public Safety.

Mr. Lyons presented

No. 841 Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 408 and 1144 of 1982, by Resolution No. 933 of 1983, by Resolution Nos. 102 and 285 of 1984, by Resolution No. 1030 of 1987 and by Resolution No. 219 of 1988 entitled: "Approving the submission and budget for the 1981 Community Development Block Grant Program," by changing a line item in the Department of Engineering and Construction from Leslie Recreation Center, EC-82-04, to Step Reconstruction.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Wagner presented**

No. 842 Resolution providing for the issuance of a \$1,039.73 warrant in favor of Norma Kaylor in settlement of claim for damage to her automobile by a City of Pittsburgh fire vehicle on April 10, 1988 at 44th and Foster Streets, payable from Code Account No. 46, Judgments.

Also,

No. 843 Resolution providing for the issuance of a \$759.00 warrant in favor of Mary L. Connolly in settlement of claim for sidewalk damage by City tree roots at 1312 Straka Street, payable from Code Account No. 46, Judgments.

Also,

No. 844 Resolution providing for the issuance of a \$1,221.06 warrant in favor of D & P Auto Salvage in settlement of claim for vehicle damage by a City of Pittsburgh police vehicle at the City Auto Pound on March 17, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 845 Resolution amending Resolution No. 202, Item A approved March 19, 1986, which authorized the sale of property in the 4th Ward, being a 2 story, brick house on a 32.29' x avg. 58.04' x 15.91' lot, located at 2526 Rr. 2526 Allequippa Street, designated as Block 11-D, Lot 64 to Albert W. D'Angelo, for the sum of \$2,500.00. The reason for the above amendment is to reduce the sale price of this property from \$2,500.00 to \$2,000.00 as the structure has been vandalized.

Also,

No. 846 Resolution amending

Resolution No. 201, Item A approved March 31, 1988, which authorized the sale of property in the 12th Ward, being a 2-1/2 story, frame house on a 25 x 135.12 lot, located at 6924 Kelly Street, designated as Block and Lot No. 124-M-225. The reason for the above amendment is to correct the Block and Lot Number from 124-M-225 to 125-M-225.

Also,

No. 847 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 848 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley, Barbara King and William Jarzabek to attend the Pennsylvania Service Delivery Area Association's Annual Conference in Erie, PA, June 1-3, 1988, at a cost not to exceed \$631.00, payable from the JTPA-1 Trust Fund. The conference will provide information on a variety of topics of interest to the job training community. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

**The Chair (Pro tem) presented**

No. 849 An Ordinance amending the Pittsburgh Code, Title Ten - Building, Article III, Local Regulations, by adding a new subsection to the 1987 BOCA National Building Code which prohibits the use of plastic pipe for waste, vent, drain, and water supply in all buildings except one and two family dwellings. --- (SPONSORED BY MR.

**WOODS)**

Which was read and referred to the Committee on Public Safety.

Also,

No. 850 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing: From "R4" Multiple-Family Residence District to "C3" Commercial District all that certain property bounded by: TRIPOLI STREET; MIDDLE STREET; NORTH AVENUE and the "C3" Commercial District boundary line located west of EAST STREET between NORTH AVENUE and TRIPOLI STREET, 23rd Ward.

—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lyons seconded the motion.

Which motion prevailed.

Also,

No. 851 Resolution transferring the amount of \$10,000.00 from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council (Index #100115) to Code Account No. 1006, Equipment, City Clerk's Office (Index #100602).

—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

Also,

No. 852 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a micrographic system for the City Clerk's Office at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account No. 1006, Equipment, City Clerk's Office. —  
(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on General Services.

**REPORTS OF COMMITTEES**

Mr. Wagner presented

Bill No. 853

Report of the Committee on Finance for May 25, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 703

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in favor of Sentry Oil & Grease for the purchase of lubrication and oil dispensing equipment for use for the Department of General Services Automotive Garage Facilities, in the amount of Sixteen Thousand, Five Hundred (\$16,500.00) Dollars. Funds are available in Capital Account 4-30-01-0001-86, (GS-86-04), Index Code 370320, Miscellaneous Equipment, Department of General Services."

Which was read.

Also,

Bill No. 719

A Resolution entitled, "Resolution providing for the issuance of a \$6,283.80 warrant in favor of Royal Insurance in settlement of claim for property damage and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 720

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1092 of 1987, effective January 1, 1988 as amended entitled: 'Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1988,' by making certain additions and corrections." (AS AMENDED IN COMMITTEE)

Which was read.

**Michelle Madoff:**

On Bill 720, Mr. President, Mr. Perry came to my office just before we came into session for an interim approval. My question was, why were we signing an interim approval when we were going in to vote on the bill for final vote within a half hour?

The bill does not specify what Mr. Perry told me. And to reiterate what he said, correct me if I'm wrong, Mr. Perry, this is for bonuses to the paramedic people and the only way the money could be available, and it's negotiated bonuses under contract, was to transfer dollars.

Why would we have an interim approval a half hour before we go in to work on the bill? Could someone explain that to me?

**Mr. Perry:**

They were supposed to get their checks today, Michelle, and the only way they could get their checks is if Council had given them an interim approval, which they did receive.

**Michelle Madoff:**

What did I ask you in my office?

**Mr. Perry:**

Why were they so late in submitting it? I said, you're going to have to ask the budget staff on that. The Mayor's Budget Office.

**Michelle Madoff:**

I would like to know that because the negotiations were how long ago, Mr. Perry? I mean, I don't think it's fair to this Council to have something put in

front of us and say, here it is, sign an interim approval and you're going to vote final vote within a half hour, when nobody has had any information. And I concur with my colleague; we need more information, Mr. Ferlo. It says, making certain additions and corrections. What are they? To take some dancing girls over to have a Turkish dinner in Viehna? I don't know. What is it for?

**The Chair:**

Mike, fire a letter off to the budget staff, the Administration budget staff, as to why it took so long.

**Michelle Madoff:**

And if we don't vote on it today, they don't get paid. And one of the services you get, ladies and gentlemen, when you're elected to Council is that we are offered as scapegoats. We don't know whether we should be voting for this, but if we don't, the paramedics won't get their bonuses. Would it be terrible if they got their bonuses next week?

**The Chair:**

They're going to get them now because we signed the interim approval. We already discussed this legislation at Wednesday's meeting.

Your questions was why did they need an interim approval and I think Mr. Perry explained that, that they were supposed to receive their checks today.

But we talked about this last Wednesday, we discussed it, it's up for final action. I think what we need an explanation on is the interim approval and, Mr. Perry, you will see to it that we get that. Correct?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

May I continue? The point that I'm making is that all of us have had problems, Mr. Wagner, Mr. Ferlo, myself, members of Council, yourself. We ask departments for information and we don't get it for weeks on end. I've been trying to get some information from Construction and Engineering on the covers. I've requested material and I get gobbledygook. Now I'm going to go and sit outside the office and they want a written note authorizing them to give me the material. If I don't put it in writing, I can't get it. It's delaying tactics.

I'm sure this is strictly on the up and up but I'd like to know what took so long. Was there a danger of the paramedics not getting their money in time so we would be blamed for it? Were we being set up? I don't know.

**Mr. Ferlo:**

Mr. Chairman, I didn't raise this for debate during Committee but if you're going to send a letter, I think we should also make note of the fact that the only group of workers that continues to not have a signed contract are the group of Environmental Service Refuse Workers, for reasons unbeknown to me, and I didn't want to get into a raging debate with Mr. Schneider who I don't have much faith in as an individual administrator. But since we are sending letters off to the Administration and we have already approved it, I didn't want to delay the process of the budget but I would still like some explanation as to why the Administration can't negotiate a fair contract with this group of City workers. It makes no sense to me.

**Michelle Madoff:**

And timely.

Also,

Bill No. 721

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1093, of 1987, effective January 1, 1988 as amended entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions,' by making certain additions and corrections." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Wagner:**

Mr. President, in accordance with Section 322 of the Home Rule Charter, and the urgency of a couple of those bills, publication effective date of legislation, I move that the effective date of Bills No. 720 and 721 shall be the date on which it is signed by the Mayor.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

Bill No. 722

A Resolution entitled, "Resolution amending Resolution No. 140, effective March 16, 1988, entitled: 'Providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Equipment for the Department of Personnel and Civil Service Commission and providing for the cost thereof,' by increasing the amount of Resolution No.

140."

Which was read.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 6**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 729

A Resolution entitled, "Resolution authorizing the transfer of thirty-two thousand three hundred seventy-one dollars (\$32,371.00) from Code Account (1401), Index Code (140103), Miscellaneous Services to Code Account (1404), Index Code (140400) Supplies and Materials, Bureau of Administration, forty-six hundred dollars (\$4,600.00) from Code Account (1422), Index Code (142208) EMS Supplies and Materials to Code Account (1424), Index Code 142406), EMS Uniforms, Bureau of EMS, two thousand four hundred thirty-four dollars (\$2,434.00) from Code Account (1448), Index Code (144808), Miscellaneous Services to Code Account (1449), Index Code (144907), Supplies and



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Materials, and two thousand two hundred fifty dollars (\$2,250.00) from Code Account (1448), Index Code (144808), Miscellaneous Services, to Code Account (1450), Index Code (145003), Equipment, Bureau of Police, Department of Public Safety."

Which was read.

**Mr. Ferlo:**

On Bill 729 on the transfer of \$32,371, I'd like my comments brought forward from the Committee session.

I'm voting no on this legislation basically because I did not get a clear understanding from Director DiNardo as to what these monies were actually being spent for. And I think in the future when there are these transfers, we should have a specific listing from the Department Director on what the expenditure is for. So, on principle, I'm voting no.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S REMARKS ON BILL NO. 729, WEDNESDAY, 5/25/88)

Mr. Ferlo:

Mr. DiNardo, am I correct in assuming that this reappropriation has to do with the purchase of the uniforms?

Mr. DiNardo:

No, sir. This has nothing to do with that.

Mr. Ferlo:

Does it have anything to do with the new badges, the Public Safety badges?

Mr. DiNardo:

No.

Mr. Ferlo:

What does it have to do with?

Mr. DiNardo:

The \$32,371.00 transfer deals with the processing of trip sheets from the Bureau of EMS. The 46 hundred -- actually the EMS transfer for uniforms deals with changes from the uniform allowance account to the uniform purchase account for various needs that the EMS Bureau has.

The Police Bureau transfer deals with boots for the boot program. They deal with an allotment for books and periodicals and various other items, keys and locks repair, but none of them deal with the uniforms.

Mr. Ferlo:

So, if I vote for this, this has nothing to do with the uniforms which I do not support. And I do not support the badge. I see nothing wrong with calling a police officer, police; a fire, a fire; and the EMS --

Mr. DiNardo:

They are still called that.

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Mr. Ferlo:

Aren't you changing the badges so they are all public safety?

Mr. DiNardo:

One patch on each shoulder. One is a police patch, the other is a Public Safety Department patch.

Mr. Ferlo:

Right. So we are going to spend money making a public safety patch.

Mr. DiNardo:

It's already been spent. It was spent in 1987.

Mr. Ferlo:

So, I'm not voting to support that in this appropriation?

Mr. DiNardo:

No, you are not.

Mr. Ferlo:

Thank you.

(END OF REMARKS)

PREPARED BY GLORIA J. BORS, STENOGRAPHIC REPORTER

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale     Mr. Wagner  
Mr. Lyons           Mr. Woods  
Michelle Madoff     (Pres't Pro tem)

AYES 5               NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 854

Report of the Committee on Public Works for May 25, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 735

A Resolution entitled, "Resolution granting unto Dr. Shirley Y. Hill, 1739 Beechwood Boulevard, her successors and assigns, the privilege and license to construct, maintain and use, at her own cost and expense, a fence on a portion of the right-of-way of Forbes Avenue in the 14th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 736

A Resolution entitled, "Resolution granting unto the Easter Seal Society, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a grade change and canopy over a portion of the sidewalk and roadway of Barkers Place and Fort Pitt Boulevard in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 737

A Resolution entitled, "Resolution granting unto Mr. Robert Ish of 3404 Allendale Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an air-conditioning system over a portion of the sidewalk at 1318 Federal Street in the 25th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 738

A Resolution entitled, "Resolution granting unto Mr. Edward Feth of 1721 Marcus Way, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a parking area on a portion of the unimproved right-of-way of Marcus Way in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 739

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Public Works, for and on behalf of the City of Pittsburgh, to act as the sponsor for the stream improvements of the Wyman Run Tributary in the 32nd Ward of the City of Pittsburgh by the Pennsylvania Department of Environmental Resources."

Which was read.

Also,

Bill No. 740

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of Litter Receptacles, and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Briefly, Mr. Chairman, on Bill No. 740 on the expenditure of \$25,000 for trash litter receptacles, my basic problem and concern that I expressed at the Committee Meeting is that this amount of money, unfortunately, is too small an amount of money. From the discussion we gathered from the Director, this \$25,000 really is just being used to replace some of the receptacles that are already there but are in disrepair. It really does not address the broader issue which Michelle and others started to talk about at the Committee Meeting which is that there are many business corridors, especially throughout the City, where there are no trash receptacles on the corner. I would hope

that the Administration before the end of the year would come back to this body for an appropriation for some new and additional cans and we also learned from the Director that he's contemplating the purchase of some type of new mechanical truck, mechanical device, that would make the picking up of these litter cans more easily done. He raised questions about staffing. I think these are all questions that I'm going to be looking at at the end of the year when we debate an approve various budgets for each one of the departments. So, I hope that before the end of the year, there will be another bill coming back to us for an increased amount of money for these trash receptacles which I think are needed in many more places throughout the City. Thank you.

Mr. Lyons:

Mr. President, I think Director Gaetano also pointed out that there would be public donations, and that's the reason he was saying he would stay with the \$25,000 for now, because he didn't know what the public donations would be coming in to his department for trash cans.

Michelle Madoff:

Mr. Lyons is correct. We were to have a letter sent to Mary Beth Salley, I don't remember her new last name, but to ask her if she would please update us on what the Clean City Committee is doing with the hundreds of thousands of dollars that the City gives them, this Council votes, to see whether they're addressing this issue of litter cans because they are desperately needed at busy corners and highly trafficked areas and all business communities. You can walk for blocks and there just is no place to put litter and the cans are overflowing. That's why the City looks so dirty. It's a pigsty.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 6                      NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

**Bill No. 855**

Report of the Committee on Planning, Housing and Development for May 25, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 712**

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gerard J. Rooney for the sale of Block 14-C Lot 253 in the 18th Ward of the City of Pittsburgh (RESALE FOR REHAB).

Which was read.

Also,

**Bill No. 713**

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 12 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (COMMERCIAL REHABILITATION)."

Which was read.

Also,

**Bill No. 714**

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Walter R. and Evelyn M. Nagel for the sale of Parcels 13 and 14 in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24 (SIDEYARDS)."

Which was read.

Also,

**Bill No. 715**

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rudyard K. & Claudette Chism for the sale of Parcel 45A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARD)."

Which was read.

Also,

Bill No. 716

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and WRS, Inc. for the sale of Parcels 7B, 7C and 7C-1 in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24 (LANDSCAPING)."

Which was read.

Also,

Bill No. 717

A Resolution entitled, "Resolution providing for an Agreement with a Consultant to provide historic preservation services to the Department of City Planning, at a cost not to exceed \$31,500.00, payable from Code Account 1103, Miscellaneous Services, Index Code 110304.

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 718

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to provide computer consultant or consultants to provide computer consulting services related to the management of an existing R-base application for the management of the City's Permit Parking Program and development of new applications related to the Capital Budget."

Which was read.

**Mr. Ferlo:**

Just very briefly, I would like to explain my vote on Bill 718. I'm voting no. This is on the expenditure of \$20,000 for a consultant to provide computer consulting services. My basic problem is that this is probably the third or fourth contract since January 4th for the expenditure of consultants in relation to various types of computer applications and with all of the people in need of employment and a job in this City who are skilled and have expertise in the practical applications of computers, I don't know why we don't hire somebody on-board for the hundreds of thousands of dollars that this Council has approved. I'm totally opposed to this expenditure of \$20,000 and come budget time I'm going to have to reassess the staffing in CIS.

**Michelle Madoff:**

On the issue of the computers, I think when we get into consultants and computers, we're getting into a different

baliwick. I think, from my experience in dealing with programming, it is a highly technical skill, a very professional skill, and people seem to specialize like doctors do in blue eyes that are right, or in left toenails. You've got very high — There are specialists that deal in various phases of computers and I think that's why we go out on consultants. That's one area that I don't get quite so upset and I don't think we could have somebody in-house who would be knowledgeable enough in all the facets of computer programming and it's basically for computer programming and designing. So, in that area, I do not agree with Mr. Ferlo.

**Mr. Ferlo:**

As a brief response, on the consultant for computer I beg to differ with my colleague, Michelle. This is not some complicated area. If the legislation reads correctly, and it was explained to us, consultant to provide computer consulting services related to the management of an existing R-base application for the management of the City's permit parking program.

I'm not a whiz in computers but the brief time that I spent at CMU, there are half a dozen of undergraduate folks who come out of the University that have the expertise on R-base. This is not an overwhelmingly complicated system and, again, I would argue that putting on board the competent people can do this, would could have saved the money that we needed for the Mayor's Information Center that we also approved consultant fees on.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5                      NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 684

A. Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh in matters of property acquisition and relocation of street rights of way in connection with the reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty - 10th Street - 6th Avenue; and providing for the payment of the cost thereof."

Which was read.

**Mr. Ferlo:**

On Bill No. 684, again I'd ask Council to reconsider this. This is on allowing the Urban Redevelopment Authority to proceed and basically take over a piece of property on Liberty Avenue, the White Tower property, I think now it's the Hot Diggity Dog. The problem that I have with this piece of property, as I pointed out in the Committee Meeting, is that we will lose



about \$33,000 in taxes regardless of whether or not the business is currently operating. The property is valued, lands and buildings, at about \$600,000; the legislation here only approves some \$330,000. Again, there's a substantial amount in the difference here in the amount of money to acquire that property.

There has been no safety report given to Council as to why it is so necessary to realign the corner of 10th Street and Liberty and that intersection. It may be that that's the case, but I don't believe it is. I don't know that there's been a significant number of traffic accidents and problems relative to pedestrian or vehicular safety at that intersection. There is no federal requirement or state mandate that this roadway be done; that was not alluded to by the Department Director. And for all those reasons, I see no value in condemning someone's private property and losing tax base and all of the other increase costs of construction relocation to make this a more cosmetically appealing intersection.

For those reasons, I'm voting no on Bill 684 and I would like my comments brought forward from the Committee Meeting, Mr. Perry.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S REMARKS ON BILL NO. 684, WEDNESDAY, 5/25/88)

Mr. Ferlo:

Yes, I believe we do have a choice. The reason I asked Mr. Lyons to hold this for a week is because I wanted to briefly discuss a couple of points.

First of all, from a purely clinical engineering point of view, someone who sits and designs things on paper and is void of other considerations, I think this Council should consider -- I think it's the best thing to do, from a purely engineering -- someone sitting there playing at the table, what would the most ideal situation be for this intersection, I would agree with the Director that this should be done.

However, I have two concerns. One is I disagree with the safety consideration, and I would ask that before we approve this that we get a rundown as to what actual accidents have occurred. I would contend that there have not been significant safety problems in the existing intersection, and if there have been, I want the documentation of that.

Secondly, I have information from the Board of Assessment in our own Finance Department that suggests that the elimination of this property is going to mean a loss of 30 -- and I want get this figure right -- a loss of \$32,723.00 in lost revenues to the City and to the School Board. So by eliminating this property, members of Council, we are giving up close to \$33,000.00 a year, for God know how many years, of lost revenues to the City.

We have talked at length about the problems of tax exempt properties plaguing the City, but where we have taxable income property, why would we move to eliminate it purely for what I contend is an engineering design prerogative as opposed to any issue of safety or any federal requirement to complete Grant and Liberty. I don't see that as a prerequisite. My argument being very clearly, I think we are going to lose \$33,000.00 a year unnecessarily, which I am opposed to.

Secondly, this property is valued, combined lands and building, and I can have a print out from the Deed Registry, at \$604,000.00. Now assuming the owners of this property are within their senses, as I'm sure they are, I'm sure that for a building that is valued at \$604,000.00, land and building, they are going to want more than the suggested figure of \$330,000.00 that is being budgeted here.

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So I don't even think what we are proposing here is even within the budgetary likelihood that that is going to be the amount of money that is going to be needed. I think it's going to be far in excess of that. And before us today are no figures relative to relocation cost. If we approve this, the City also incurs the responsibility for relocation costs of this property.

Mr. McDermott:

You said it was an engineering prerogative. It is not an engineering prerogative. There are design standards, as you are designing new roadways and intersections, to meet the Federal Highway Regulation, the highway design group that you apply, and to be continued to be eligible for funding, that is the criteria that we use. It's not a straight --

Mr. Ferlo:

What I was suggesting -- first of all, I think it's premature to approve this.

One, I think you should come to Council with a copy of the design, as I'm sure you already have it, and I think you should supply to Council some information about the issue of safety and see if that is an outstanding issue that we should consider in weighing this matter. But my debate here deals basically with the loss of 33 thousand plus in revenues to this City for something that does not seem to be of significance in terms of safety, and for that reason, I stand opposed to this resolution.

(END OF REMARKS)

PREPARED BY GLORIA J. BORS, STENOGRAPHIC REPORTER

**Mr. Lyons:**

Mr. President, I think the Director, Mr. McDermott, pointed out well that -- I will agree with my colleague here that we will be losing a piece of property. However, he alluded to the fact that it would be a federal mandate that we align 10th Street, and not only that, 95 percent of the total cost would be paid for by the government. There's only 5 percent of it on the City of Pittsburgh.

**Mr. Ferlo:**

In response to Mr. Lyons on the bill, the Director very explicitly stated that there was no state or federal mandate, nor could he or would he produce any such memo or letter from the federal government to say that this had to be done. The Director stated that it does not have to be done but that it was, in his opinion as an engineer, that it seemed more desirable from a cosmetic point of view. There was no evidence of safety involved. So there's no federal mandate.

And I disagree with my colleague, Mr. Lyons, on the 95 percent reimbursement. That was not indicated by the Department Director. If that is the case, he did not state that and I'd like to restate that very clearly. We're going to be putting out a lot more money and, as well, losing tax dollars.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. DePasquale      Mr. Wagner  
Mr. Lyons            Mr. Woods  
Michelle Madoff      (Pres't Pro tem)

AYES 5                NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 796

A Resolution entitled, "Resolution nominating Buildings 2, 3, 4 and 5 at the South Side Pittsburgh Works, LTV Steel Corp., to be a Historic Structure under Section 513 of Chapter 1007 of the Pittsburgh Code." --(SPONSORED BY MR. LYONS)

Which was read.

**Michelle Madoff:**

Discussion. I think Mr. Lyons has taken a very responsible position. He has taken the position that if, indeed, the J & L steel mill wishes to sell their scrap metal for a large -- As I understand it would be \$6.5 million because scrap is at an all-time high and they want to move ahead expeditiously. He doesn't want to stand in their way. On the other hand, he feels as I do and, I believe, those of us who have studied the issue carefully, that the issue is not whether the buildings can maintain the weight of the structure. It is a matter of maintaining a shell to duplicate what other cities have done as tourist attractions to perpetuate the heritage of their communities. And certainly the heritage

No one is saying stop J & L from removing hazardous materials or remove, specifically, asbestos, remove any other

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 704

A Resolution entitled, "Resolution amending Resolution No. 932, effective October 27, 1986, entitled: 'Providing for an Agreement or Agreements and/or a Contract or Contracts, or use of existing Agreements or Contracts, for the leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building,' and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

I'd like some information on Bill 704. Mr. Ferlo, on Bill 704, this is the accounting, basically, financial records of the temporary move to the South Side where the police are presently being housed while the building is being renovated. Is that correct?

**Mr. Ferlo:**

Yes.

**Michelle Madoff:**

And the dollars that we're talking about here are \$1.5 million. Where there any other dollars that you know of that are not mentioned here today in renovations and some repairs?

**Mr. Ferlo:**

Not to my knowledge. We've already expended \$75,000 in additional expenses which I voted against.

**Michelle Madoff:**

What I'm looking for is the total cost of redoing the building. I think it's appropriate at this time to say that I personally think that we made a big boo-boo. I think at the time the Gulf Building was up for sale, we ought to have consolidated all the City and County offices in that building. We should have built a new Public Safety Building on the site where we are now. It will never be right; it will just be put together with spit and paste and Band Aids. We're being penny-wise and pound-foolish. We're already paying \$1.6 million to house our police officers on a temporary basis.

**Mr. Ferlo:**

I agree.

Also,

Bill No. 705

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, (amended by Resolution 929 effective October 27, 1986) entitled: Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program, by increasing a line item and by adjusting the Summary Totals. Project authorization is being increased by Two Hundred and Ten Thousand (\$210,000.00) Dollars, to cover the costs for relocating City Information Systems, City Courts and OPR, chargeable to Capital Project Fund GS 86-06, Code Account 4-30-01-0010, Index Code 370684, Retrofit to Public Safety Building, Department of General Services." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 706

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery of one (1) Hillside Slope Machine for the Department of General Services, Code Account 4-30-01-0001-88 (GS 88-03), Index Code 370346, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

Also,

Bill No. 707

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Wheel Balance-Alignment Equipment, etc. for the Department of General Services, Code Account 4-30-01-0001-87 (GS 87-03), Index Code 370338, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. DePasquale | Michelle Madoff |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mr. Woods       |

(Pres't Pro tem)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 857

Report of the Committee on Engineering and Construction for May 25, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 701

A Resolution entitled, "Resolution amending Resolution No. 678, effective August 11, 1986, as amended by Resolution No. 64, effective February 9, 1987, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection Services in connection with the Reconstruction of Grant Street, Phase II; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements, by naming the Consultants, and by increasing the total project allocation by \$125,000.00 from \$150,000.00 to \$275,000.00."

Which was read.

Also,

Bill No. 702

A Resolution entitled, "Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by transferring EC 86-04, Oranmore and Brintell, to the Department of Public Works, and adjusting the Summary Totals."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 791

A Resolution entitled, "Resolution amending Resolution No. 557, effective July 20, 1987; entitled: 'Providing for an Contract or Contracts, or use of existing Contracts, for the Roof Rehabilitation and Masonry Painting of No. 5 Police/No.

8 Fire Station; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$47,000.00 from \$40,000.00 to \$87,000.00."

Which was read.

**Michelle Madoff:**

On Bill 791, the rehabilitation and masonry painting of No. 5 Police and No. 8 Stations, were they consultants who had done this work or is this the actual work and was there a consultant involved and why was there a consultant involved?

**The Chair:**

It was the actual work.

**Michelle Madoff:**

Were there consultants on the job to begin with?

**Mr. Lyons:**

Not to my knowledge.

**Michelle Madoff:**

Because this is something that Mr. Wagner and I have opposed. I don't know why we need a consultant to tell us what we need to do about a roof or painting a building. Certainly that can be done in-house. And now we're going to an additional \$7,000 --

**The Chair:**

But that's way past, Ms. Madoff. Now we're on the actual work.

**Michelle Madoff:**

But I'm making the point again that with the financial plight of this City, Mr.



Woods, we just can't keep giving money away.

**The Chair:**

You're not giving it away at this point; you're paying for a service.

**Michelle Madoff:**

We're going \$40,000 to \$87,000. That's a \$47,000 increase and I'd like to know why the consultant didn't pick that up.

**The Chair:**

I have no idea, Ms. Madoff.

**Michelle Madoff:**

Do you think we should vote without knowing?

**The Chair:**

No, I think you should have been here when we discussed this bill on Wednesday and you could have asked the person who is in charge of it.

**Michelle Madoff:**

I wish I could have been here too.

Again I point out that Bill 791 is going from \$40,000 to \$87,000; that's a \$47,000 increase. I don't know how a consultant could have missed it or whether it's a decision by Construction and Engineering to go ahead and do some additional work while they're there which is just the old show game. This has got to stop. We cannot have Council voting on a Wednesday discussing it and then adding on \$47,000 without knowing up front when we're hiring consultants.

I move to recommit Bill No. 791.

**Mr. Ferlo** seconded the motion.

**Mr. DePasquale:**

Point of Order. If this bill was defeated today, when can it come up again?

**The Chair:**

In 1990.

**Michelle Madoff:**

Question on recommitment. My purpose of asking this to be recommitment is that I believe this work could be turned over - we could find out, for example, whether we had a consultant and try to do away with it.

WHICH MOTION PREVAILED.

Also,

Bill No. 792

A Resolution entitled, "Resolution amending Resolution No. 112, effective March 8, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the P.J. McArdle Roadway Sidewalk Rehabilitation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$11,000.00 from \$225,000.00 to \$236,000.00."

Which was read.

**Michelle Madoff:**

On Bill 792, I'm concerned that in both cases, 791 and 792, we don't need any consultants. I believe that Public Works could go in and do the sidewalks.

I want to remind everybody that I fought the battle, not very well, I might add, because I don't have the authority to

make the changes. McArdle Roadway has been shut down either entirely or one way, it was shut down for seven years. And in the nonsense that was perpetuated was that we brought it in a month ahead of schedule and \$100,000 under budget. What a joke. Then we tore up the street to put in a sewer line and a water line. The street looks like it's had 17 tractors go over it and have accidents; it hasn't been repaved.

I read in the paper this weekend where some corporation here to do business, wants to expand their business here, and the first thing they did was take those people up to Mount Washington, up McArdle Roadway. Well, that certainly isn't a sight for sore eyes going up, seeing the walls destroyed, the fences that are lining the new bridge and the McArdle Roadway which is in terrible deterioration.

Now we find out we're going to go to sidewalks. My question, and we better all ask ourselves this question, we better ask General Services, if we're going to redo the sidewalks, question one, could the sidewalks be done by Public Works who has done them before and who gave me a paper showing a design how they've always done sidewalks, that they don't need a consultant, number one. Could they do the work, number two. And number three, which is very important, we start to do sidewalks on McArdle, what are we going to do about the wall that's caving in and chipping away? Are we going to repair that at the same time? Are we going to put up new fences? Are we going to change the electrical work? Are we going to change the sewer system which is the catch basins which are causing water to drain onto the Roadway which freezes and we've had several accidents with people being unconscious in their automobiles? How many more years will that area have the impact of not having the job

done all at one time? Again, it's a piecemeal approach.

May I respectfully ask the City Clerk to please write a letter to Mr. McDermott and ask him what impact the repaving of the sidewalks will have in relationship to the electrical, the sewer, the fences, the retaining wall, and whether they will have to shut down either part or all of McArdle to do the work, when it will be scheduled to be done and when will the rest of the work that I've just outlined be done and will they have to shut down at that time? I mean, this is just — I just don't have words to explain how irresponsible this kind of management is. I don't know how you would have somebody come and paint your house and paint one room and go away for a year and come back and hammer something up in another room. This is a disgrace.

**Mr. Ferlo:**

Originally when this bill came up a couple of months ago I voted no on the appropriation, Bill 792, the allocation of \$225,000 for the sidewalk. At that time, and this last week in the Committee session, I expressed my concern about the fact that this should and could be done in-house and like the previous bill prior to this, the fire station, it's unfortunate that we in the City have yet to put together some type of Public Works infrastructure work force that could hire people directly from the union hall, if need be, to do these kinds of jobs, sidewalks, roof repair, painting, instead of hiring consultants and going out on bid. We could save a lot of money and actually get more sidewalks put in, more walls retained, and more Public Works kinds of activities around the City.

So, again, I am voting no on this bill, 792, that calls for an increased expenditure of \$11,000 for a total of

\$236,000. I would think I could go down to the union hall and get some finishers and probably put the sidewalk in for \$50,000 or \$60,000. So, I'm clearly voting no and I'm concerned about these projects that keep getting bid out when there's the possibility to do them in-house. I hope Michelle will vote no on this bill and that it dies right here, unless, Mr. Chairman, it finally dawns on him that he does not have the votes to pass this legislation and make a motion to hold this since the City Clerk has gotten up and risen to the occasion as he has so many times in the past.

**The Chair:**

I would just like to remind Council, if you do vote this down, these sidewalks will not be repaired for two years, before this legislation can come back up.

**Michelle Madoff:**

Why?

**The Chair:**

Because you have to wait until we reorganize in 1990.

**Michelle Madoff:**

Then hold the bill for a week.

**The Chair:**

Michelle, let me speak, please. I listened to you. If you vote this bill down, just remember that it's down until 1990, January 1st.

**Mr. DePasquale:**

Point of Order, Mr. Chairman. I'm in favor of recommitting the bill, fearing it's going to be voted down, with the exception — I want to be sure. We're talking about and increase \$11,000; from

\$225,000 to \$236,000. We've already approved the \$225,000; correct?

**The Chair:**

Right.

**Mr. DePasquale:**

So, in effect, we're talking about the \$11,000 increase we're voting down here now.

**The Chair:**

Right. Or recommitting. Did you make a motion to recommit?

**Mr. DePasquale:**

I'll make a motion to recommit.

**Mr. Lyons** seconded the motion.

WHICH MOTION PREVAILED.

#### MOTIONS AND RESOLUTIONS

**The Chair presents**

No. 859 Resolution approving the reappointment by the Mayor of James Reich, 5689 Marlborough Avenue, Pittsburgh, PA 15217, as a Member of the Pittsburgh Housing Authority, for a term to expire June 13, 1993.

Which was read.

Also,

No. 860 Resolution approving the reappointment of William Colbert, 7525 Graymore Road, Pittsburgh, PA 15221, as a Member of the Pittsburgh Housing Authority, for a term to expire June 13, 1993.

Which was read.

Also,

No. 861 Resolution approving the reappointment by the Mayor of Ben Woods, 510 City-County Building, Pittsburgh, PA 15219 as a Member of the Pittsburgh Housing Authority, to expire June 13, 1993.

Which was read.

Also,

No. 862 Resolution approving the reappointment by the Mayor of Mildred Turner, 417 Robinson Court, Pittsburgh, PA 15213, as a Member of the Pittsburgh Housing Authority, for a term to expire June 13, 1993.

Which was read.

Also,

No. 863 Resolution approving the reappointment by the Mayor of Ruth Pittrell, 833 Whiteside Road, Pittsburgh, PA 15219, as a Member of the Pittsburgh Housing Authority, for a term to expire June 13, 1993.

Which was read.

**Mr. DePasquale** moved to approve the reappointments.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

On another matter, Mr. Woods. On a holiday weekend it's very hard to get hold of people. I happened to be home this weekend doing some work, some business for the City, and I got a phone call with reference to the police and paramedics, etc., not having their radios. The reason I was called was, I

serve on the Leasing Authority. I confess I was not at the last meeting of the Leasing Authority but the radios were not discussed. It was not a subject that came up. The subject that was discussed was the awarding of the bond and, as you know, the bond was awarded not based on necessarily the lowest fee but because it would save the City more money in percentages on the bond. I don't want to get sidetracked over that but I did do my homework and I did find out what happened at that meeting. The radios were not brought up.

But I must tell this Council that on four different occasions, one where the police responded to a call where I was present. The police officers have repeatedly told me that their radios don't work. You may recall that last Wednesday I made a plea, I asked at the table about getting the radios. It was sort of brushed aside but it was in the works, that that was not the subject matter and not the merchandise of purchasing that was going on.

The police tell me that not only do they not have their radios, but they don't have the charging machines to recharge the radios. And they also informed me that they are terrified, and their wives are afraid, that if they have to go on a call, we don't have enough police officers to give them back-up. They don't even have radios that work.

Now, that is inexcusable. This Council, others on this Council, have called for radios for a very long time. My understanding is that they did go out on bid and there were several bidders but one was G.E. that was prepared to supply a 48 channel radio. Incidentally, G.E.'s radios are made in Japan. And Motorola was supplying 12 line radios. However, under the Leasing Authority regulations, if somebody comes up with state of the art, they have the right to match or, if

it's a lower bid, receive the bid. And it was decided by the Leasing Authority or by the Administration, and I have no problem with this, that they should go out and rebid because, at this point, Motorola says, "We'll give you 48 channels as well for the same price."

The thing that bothers me is that it took them so long to get to that point because it wasn't put on a priority, it wasn't a Wallace Act, it wasn't an emergency. But it's an emergency with me and it's an emergency with the wives and it's an emergency with the police. It took three weeks to open the bids and after the bids were open, it was decided to go out for rebid again. Why it took three weeks, I do not know.

As we speak there is a meeting going on with the Administration. I have asked Dawn Botsford to please relay the message to Mr. Jacoby that I believe this is a priority. We do not have the authority to invoke the Wallace Act but I would like to see those bids out and back and a decision made in a week, not wait two and a half more weeks to open the bids and then decide what's going to happen and wait until they deliver three or four months from now. You've got to go out and buy the 48 channel radios wherever you can get them and you've got to get some now, and we've got to get some machines that can at least charge the existing radios, a battery charger; we don't even have those. It's a very sad situation when Councilmembers have to, first of all, learn it from the media. And secondly, we have been pleading for radios all along and were given to understand that that was in the works.

Perhaps Mr. Wagner can add something to that because it was his committee and I'm sure he has the same concern. Now it's a financial matter and he'll look into paying for it; that's not an

issue. It's out of the Leasing Authority; the money is there. But the urgency was not there and I would like to have a letter go from this Council, and I make it in the form of a motion, that we move post haste to supply the 48 channel, or whatever radios are necessary to protect our police, our paramedics, immediately. I don't care where you get them, I don't care what they cost, because if one officer is killed because he can't contact someone to give him back-up help, there is no excuse. Any price will not justify that. And there was an incident with the paramedics, which you may have read, where they tried three radios and couldn't get through to a physician to save somebody's life and what they had to do was go to somebody's phone and call a doctor.

Now, how do we sit here being scapegoats for this kind of nonsense? This cannot be allowed to continue.

May I have your support in writing a letter to urge that the Leasing Authority move immediately to award a contract, sit down with everybody and if you have to divide the contract, I don't care how you do it, I don't care what mechanism, but in a week those officers and paramedics must have their radios.

**Mr. DePasquale:**

Point of Order, Mr. Chairman. I believe the former Chairman of Public Safety, now the Finance Chairman, Mr. Wagner, has a resolution that will make the letter moot.

**Mr. Wagner:**

Mr. President, I'd like to request from the City Clerk that a post agenda be set up tomorrow afternoon at 2:00 p.m. to act as a fact-finding post agenda on this same issue. And I'd like to

request that the Director of General Services, Dawn Botsford, attend. Also, the Solicitor of the Leasing Authority and, my colleague may be able to help me out here, but I believe his name is Mr. Tim Slavish.

**Michelle Madoff:**

No, we don't really have an attorney for the Leasing Authority; it's a corporation and I've just forgotten their name. They send a number of attorneys.

**Mr. Wagner:**

Well, whoever that solicitor that's representing them that's available tomorrow. Mr. Jack Wilson in charge of the radios and the overall coordinating of radios, Mr. Jacoby, if he's available, and also the people from Public Safety that work, I guess, the most with the radios which would be Mr. Martarano in charge of communications, Mr. DiNardo in charge of administration, and Director Cannon.

I would like to just add one final note. I'd like to request something somewhat different from my colleague, that the Administration put on hold the rebidding process of these radios until this fact-finding post agenda is over and the issue is discussed publicly, I believe, as it should be discussed. It has not been discussed within the Leasing Authority or at this Council; therefore, it has not been discussed in the public arena. To rebid the radios, I understand what your motion is to get things moving again, but the problem is rebidding will require several months and people in Public Safety probably would not have these radios. I understand the contract indicates 180 days for delivery which means that that's another six months in addition to the two or three months to rebid. They would not have these radios until 1999 if we go through the rebidding

process.

I think we should air out the present bids and I would like to request that the Administration put on hold the rebidding process due to the urgency of us needing radios that work and are quality out in the field.

**The Chair:**

Mr. DePasquale, do you have anything to add to that, since you're the Chairman of Public Safety?

**Mr. DePasquale:**

No.

**Mr. Ferlo:**

Certainly I would support a post agenda but, quite frankly, Mr. Chairman, the issue of the radios is just one of several issues that I think have come up over the last few months in relation to Public Safety. And there's the issue of the 911 system and problems with it; currently there's a state investigation. We have the problem with the overtime both with the paramedics as well as the overtime of what I call are like air traffic controllers; the people that do the 911 dispatching are working 12 hour shifts, seven days a week. There's the issue of the park safety utilization of personnel in relation to the problem that Mr. Wagner has addressed earlier. We've had a renewed sense of commitment from the Administration on the issue of on-street drug trafficking. By all means, I support the post agenda on the radios but I think it's time for City Council to entertain some type of a post agenda and dialogue with the administration of Public Safety on these other issues as well. I will not confuse the situation for this one but I would like to see that dialogue happen. We can't have that interaction because of the way our

committee sessions are structured on Wednesday but it's about time Council started providing some oversight on what the heck is going on in Public Safety.

**The Chair:**

Can I suggest this, Mr. Ferlo? Tomorrow we discuss the radios and then the following Wednesday bring up all the other issues that you brought up and bring the same parties back.

**Mr. Ferlo:**

I would appreciate it if Mr. DePasquale has no objection to that.

**Michelle Madoff:**

Same subject. My only concern about the post agenda, and of course I support the post agenda, I think we're all thinking on the same lines, we're all alarmed and I noticed that you had been contacted as well in the newspapers. What we're going to learn tomorrow is not more than what I've told you, a repeat that they went out for bid, they opened them late, they took three months to rebid them, they're going to be back again in two and a half weeks, I believe, the bids will be two and a half weeks. So, the delay of whatever delivery time that Mr. Wagner stated would only be a two and a half week delay.

My feeling is that the whole thing is totally unacceptable. I think we need a letter from this body in case someone is not at the post agenda tomorrow that says I don't care how you get the radios, get them. It is not acceptable for one second to me to say well, we'll go out and bid them and then in 180 days, 2-1/2 weeks, 6 months, they'll have radios. I don't care where you get them. Even if they're on loan, even if it costs us extra dollars to rent them, some way, some

how, our paramedics must have radios this week, now, and so must the police to protect their lives and the lives of, in the paramedics' case, the lives of the patients.

That's the point I'm making. Yes, we can get together and we can have a post agenda, but I don't think its acceptable to say let's delay until we know what we're talking about. Radios we can't delay. If a car was bearing down on your child, would you want a post agenda or would you go out to try and save your child?

**The Chair:**

The letter is not going to get there any faster than tomorrow at 2:00. So, we'd be telling these same people that we're going to send a letter to and I have nothing against that. But why don't we just wait and tell them in person; here's what we want, do it now. Why did you fail us? Why did you fail this City? Give us an explanation but here's what we want; do it now.

**Michelle Madoff:**

Mr. Woods, that would sound logical but this Council and this City doesn't always function logically. Can I ask you if you plan to stay for the post agenda tomorrow?

**The Chair:**

No you can't ask me.

**Michelle Madoff:**

Frankly, I don't think you'll be here. You very frequently are not.

**The Chair:**

What does that have to do with it?

**Michelle Madoff:**

Because there will be two of us and I think that —

**The Chair:**

Mr. DePasquale is Chairman of Public Safety and he'll be chairing that post agenda.

**Michelle Madoff:**

I'm making the point, if you'll indulge me a moment —

**The Chair:**

No, don't make the point with me, Ms. Madoff.

**Michelle Madoff:**

Why can't we have a letter than could be the intent of this entire Council by majority to get the radios?

**The Chair:**

Do you want to send a letter? Make a motion.

**Michelle Madoff:**

I make the motion that we have that letter.

**The Chair:**

Is the a second to the motion? It dies for lack of a second.

Is there any other subject to discuss?

**Michelle Madoff:**

Thank God the public is watching this.

**Mr. Ferlo:**

Two brief points. One, I'd like to make a motion to televise the public hearing on Tuesday, June 7th, in relation to the hunger issue.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Secondly, very quickly, Mr. Chairman, I had the displeasure of attending a rally, picket line, community protest, whatever you want to call it, a few days ago in relation to the public housing community in the City of Pittsburgh. This was a protest on the part of parents, citizens, residents and children in the Terrace Village community. I notice Marion Clark in the audience also.

It seems as though there is a situation once again where my good friend, Director Pietragallo has basically created what I would best describe as tension and divisiveness in the community. For a number of months, if not years, a community based organization of voluntary effort, I believe referred to as the New Beginnings Youth Organization, at their own expense and volunteer labor power, created something good in the community. People working together rehabilitated a basement of one of the buildings in Terrace Village and I believe mostly after hours, after their work day, there was youth center activities. In addition, I think our previous Mayor contributed some equipment for the use by the young people at this facility.

As is typical with this Housing Authority Director who engages in petty politics and vindictiveness, he has taken out on one individual in the community



who in the past has shown opposition to the previous issue of the demolition of Allequippa Street. So these individuals in this youth center were basically thrown out on the street; the door has been padlocked and just don't think that's a very good situation.

I would certainly be happy to respond to questions but what I would like to see, quite frankly, is a situation where people work together in the spirit of harmony in that community with the Housing Authority. There's no reason whatsoever why this community group, under the direction of Ms. Clark as well as Reverend Paul, couldn't entertain a lease and be able to continue to use the basement of this facility. As is typical of the Director, he puts one sector of the community pitted against the other; in this case, the tenants' council against the needs of the New Beginnings Youth Group.

So, I think we should publicly chastise the Director in relation to the divisiveness that I believe he has created in this community and I think in terms of having a resolution of this, I see no reason whatsoever why the New Beginnings Youth Group can't get a lease from the Housing Authority to continue the operation of their volunteer program.

**Mr. Lyons:**

Mr. President, I'm aware that there is a difference but you have to remember that that lease has been given to, and the lease holder now, is Allequippa tenants and not the New Beginnings. Now, Ms. Clark has come to me and I'm trying to work out the differences now between the adverse parties. But Ms. Clark and the New Beginnings -- There is no lease with them to the Housing Authority. I think Mr. Pietragallo has done a whale of a job. If there are any differences, I am going to mediate the whole problem and

certainly I hope there would be forthcoming some condition that would be accepted by everyone and no one will feel the hurt nor will there be any vendettas felt among all the parties that are concerned. I know there is a difference and possibly, as I understand, Ms. Clark could have been accused for some things in the past that she has not done. These are the things that I'll straighten out with the Housing Authority.

**Mr. Ferlo:**

Is it my understanding that Mr. Lyons will report back to Council regarding this issue?

**Mr. Lyons:**

Let me say it this way. I'm trying to work for an effort that would be beneficial to the community, to the Housing Authority, and to bury any differences that there may be and everyone will be treated right. And I think it will come to Council.

**The Chair:**

I'd like to say something. I think that Mr. Pietragallo is one of the finest, if not the finest, directors in this City, that the City has ever had, and I do know him very well and he is a personal friend of mine. I think that anybody that has a problem with the direction that he takes the Housing Authority, we have an open meeting, everybody here knows that; you can get on the agenda and get up and speak and have your say.

I'm on the Housing Authority Board and I only read about this situation through the newspapers and through your demonstration. I don't know if Ms. Clark appeared before the Housing Authority Board. If she did, I apologize; I didn't see her. But that's where that should be

discussed, right there, right at the Housing Authority meeting. And there is another meeting at the end of this month and I suggest, Mr. Ferlo, if you wish to come and voice your opinion, or anyone else, please get on the agenda and I'll make sure you're on the agenda and I'll make sure you have your say and we will listen to you, all the board members.

**Michelle Madoff:**

On another subject. The Post Gazette on Monday reported that planners, another consultant, advised on Shadyside parking problems. You may recall that we had scheduled a hearing before Council. I was asked to bring that up and we indeed did request a public hearing and one was scheduled. Shadyside Coalition asked me to cancel it because they felt they could sit down, as I did, with the Shadyside merchants. I met with all factions, the neighbors, SAC people, and the Shadyside Merchants Coalition. They wanted to work out their own problems so that what is happening wouldn't happen, and that is, not to air their problems in the media and try to work them out through arbitration and through some kind of mediation.

I think it's time that we found out what is going to happen. This City is losing people. You know the old saying, people are voting with their feet. So many people are leaving this City. We can't afford to lose businesses. We can't afford to have divisiveness in the City.

There are many problems in the Shadyside area. There's the impacting of the traffic on the residents. My understanding is that there was to be sticker parking for residents first. There was to be a waiving by the shopkeepers, the Shadyside merchants would waive their right to have X number of parking facilities for themselves so that they

would have space for their customers; and we were to build some garage space which would not cost us anything because that space would be used over and over again and would be one of our better investments in parking facilities.

I don't know where the problem stands at this point but I don't think we can wait until we run into a problem where people just don't want to come in and shop in that area any more. We have too many areas that are being hit. Everywhere, not only Shadyside but everywhere, business is down. Population from '61 until now, that's 25 years, has gone from close to 700,000; in the next census it's expected to be 358,000. We're talking about building shopping mall down here.

We cannot afford not to intervene and to help a community reconcile its problems. And to that, I would like to ask Mr. Perry if he would please get a letter out to Mary Alice Lidle, Shadyside merchants, and the SAC people and to make sure that everybody, that the people who are impacted who live in the community and are parking, -- Let's get on with having a hearing and resolving this problem on the parking situation.

The first step might be to send a letter to Mr. Lurcott but I've been talking to Mr. Lurcott for a year about this and I haven't had very much response or very much success. If they're going to build the garages, give the sticking parking, I think things will be resolved and the merchants are going to waive their parking spaces. They cannot take the parking spaces for their own use; they're going to have to shuttle their employees. They talked about having them come from the houses of worship, etc., and some other spots that are available. We have to leave the spaces open to the customers. If everybody gives a little bit, we can maintain that

property and maintain the district in a very responsible way.

So, I think we'll do Lurcott first and, based on his response, we'll then schedule a hearing if we can't resolve it.

**Mr. DePasquale:**

Mr. Chairman, the Army has its Unknown Soldier. I think we should think seriously about Unknown Heroes of the City of Pittsburgh. I'm referring specifically to a young woman who did some surveillance work on her own in regards to a pervert that was bothering her daughter. This young woman, through her hard work and perseverance, was responsible for the capture of this pervert. Obviously, we don't know her name, and won't know, to protect the child, her child, who is a minor.

There's an oddity and an irony to the whole thing; the gentleman - well, he's not a gentleman - is 75 years of age. Back in 1942, the week before I went into the Marine Corps, I captured him as a peeping tom in Oakland. Forty-six years later, he hasn't changed, not one iota. Seventy-five years of age and he's still out there bothering little kids.

But I do want to repeat that that young woman was so courageous, and she took a great risk, but she got the evidence and she more or less set him up to be caught by the police.

**The Chair:**

Very good.

Is there anything else?

**Mr. Wagner:**

Mr. Woods, I'd like to make a motion that the Monday meetings be held at 10:00 a.m. rather than 2:00 p.m. from

now until Labor Day.

**Mr. Lyons** seconded the motion.

**Michelle Madoff:**

May I ask why?

**The Chair:**

It's very hot out and I can see how hot this room is. Now we can come in in the morning, get all our work done, and keep these meetings longer without worrying about running off to eat dinner or anything like that.

**Mr. Wagner:**

If I may respond --

**Michelle Madoff:**

Could I finish my question? Could we have our Wednesday meetings or post agendas or some hearings scheduled so while we're in the same day - many of us haven't filed for ten years and it gets voluminous - why don't we, and we talked about this some time ago, about doubling up on the day we're here.

**The Chair:**

We do that.

**Michelle Madoff:**

Why don't we do Monday morning and Monday afternoon and Wednesday and Wednesday afternoon, and have some time to work in our offices?

**The Chair:**

Fine. When we get some hearings, we'll see about scheduling them.

**WHICH MOTION PREVAILED.**

**Mr. DePasquale** moved to excuse Mr. Coyne and Mr. Pollock for absence from the meeting.

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

Question on excusing the absent members. Why are the members being absent?

**The Chair:**

Mr. Coyne notified us some time ago that he would be on vacation starting today and be gone for two weeks. The other absent member, I have no idea.

**Mr. Ferlo:**

I would like an explanation as to whether or not the other absent member has given indication as to why he's absent. Mr. Coyne, I know, went around and informed all of us through courtesy, and I believe he communicated to the Clerk also, that he would be out of town for two weeks. But that's not the case with the other member. I'm not voting to excuse anybody.

**Michelle Madoff:**

I believe he has allergies; he was out ill last week.

**The Chair:**

There's a motion on the floor to excuse the absent members. All in favor? Opposed?

**Mr. Ferlo:**

Opposed.

**The Chair:**

Just on one, Mr. Ferlo.

Both absent members are passed.

WHICH MOTION PREVAILED.

**Michelle Madoff:**

On the same subject, Mr. Woods, don't you think it would be a good idea to go back and obey our own rules that we voted on, which was that we give Mike Perry the courtesy of letting him know whether we will be here or not be here. There is a \$10 fine if the person doesn't do that.

**The Chair:**

Ms. Madoff, let me explain something to you. That is what everybody has been doing. Except for this one instance, the individual didn't notify us last week or this week. I can't do anything.

**Michelle Madoff:**

Could we send a note to him?

**Mr. Perry:**

We sent a memo, Michelle, to all members of Council to let me know.

**Michelle Madoff:**

You may not have a quorum sometimes.

**The Chair:**

I just sent out a memo, if you read your mail the other day, please, we are a member short because I knew Mr. Coyne was going away, we're down to seven members. This memo went out last Tuesday that if anyone was going to be

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absent to please notify us because we're two members short for the next two weeks.

**Michelle Madoff:**

Mr. Woods, isn't there a fine automatically of \$10 for not notifying?

**The Chair:**

If it's not approved, but we approved it.

**Michelle Madoff:**

Can I get my money back?

**Mr. DePasquale** moved to approve the Minutes of Monday, May 16, 1988.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

THE STATE OF TEXAS, COUNTY OF DALLAS.

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that

the within and foregoing

is a true and correct copy of the

same.

Given under my hand and seal of office this

10th day of May, 1901.

Notary Public in and for the State of Texas.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, June 6, 1988

No. 22

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk  
Pittsburgh, PA

Monday, June 6, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

#### ABSENT:

Mr. Coyne  
Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. DePasquale for Mr. Coyne presented

No. 864 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Fred Reginella, John Weres, Donald Killmeyer, Steven Barczak, Joseph Tumas, Joseph Semieraro, Mark Stempkowski and Stephen Shanley to attend the Fifth Annual International Bridge Conference and Exhibit at the Hilton Hotel, Pittsburgh, PA, June 13-15, 1988, at a cost not to exceed \$1,424.00, payable from Code Account No. 1482, Miscellaneous Services, Department of Engineering and Construction. This conference will consist of Seminars, Bridge Tours and Exhibits that will deal with the design and construction of bridges.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale presented

No. 865 Resolution providing for an Agreement or Agreements with Polish Hill Citizens Association for the Kidswatch Program at a cost not to exceed \$2,000.00, chargeable to and payable from the Department of Public Safety, Code Account Community Crime Prevention Trust Fund (CCPTF).

Also,

No. 866 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Dominick Cimino, Henry Hegerle and Bernard Liff to attend the 73rd Annual Code Development and Education Conference of Building Officials at the Hyatt Regency Hotel, in Columbus, Ohio, June 19-24, 1988, at a cost not to exceed \$3,500.00, payable from Code Account No. 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety. Permission is also requested for Paul Imhoff to attend this conference. Room and board will be paid by BOCA International. At this conference final voting on code changes will take place. All of the above individuals are voting members of BOCA and they must attend the conference to cast their vote on code changes. (PRIOR APPROVAL GRANTED)

Also,

No. 867 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Police Officers Regina McDonald and Ronald Franz, Bureau of Police, to attend the Alcohol and Other Drug Abuse Awareness Training at the Radisson Hotel, in Monroeville, PA, June 21-24, 1988, at a cost not to exceed \$390.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. This program is in conjunction with the teaching of the DARE Program in the schools. The two officers that are requested to attend this training teach the DARE Program in the schools. (PRIOR APPROVAL GRANTED)

Also,

No. 868 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Lou Garda to attend the Second

Annual Racketeering, and Organized Crime Investigators/Prosecutors Seminar at Dickinson College, in Carlisle, PA, June 12-15, 1988, at a cost not to exceed \$226.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. They will address labor racketeering and how R.I.C.O. can be used effectively, both with civil and criminal remedies. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

Mr. Ferlo presented

No. 869 Resolution Repealing Resolution No. 652, approved July 16, 1980, entitled, "Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members. — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 870 An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article VII - Procedures - Chapter 161 - Contracts - by adding a new Section 161.20 entitled "Estimated Costs" to provide procedures for the confidentiality of that amount and Section 161.21 entitled "Capital Budget". —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on General Services.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the



bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

Also,

No. 871 Resolution providing for the issuance of a warrant in favor of Burtt, Seman and Hamilton in the amount of \$250.00 for consulting services rendered to Michelle Madoff, consulting—including, but not limited to: Research on Water and Sewer issues; Research on Impact of Changes in Bond Tax Structuring; Research on Solid Waste Management; Computer Consulting and Services from April 19, 1988 to May 6, 1988, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

**Mr. Wagner** presented

No. 872 Resolution authorizing the issuance of a warrant in favor of Henry, Buchanan, Mick & English, P.A., in the amount of \$1,525.00 in payment for legal services furnished for the benefit of the City, chargeable to and payable from Code Account No. 1074, Miscellaneous Services, Department of Law; and Repealing Resolution No. 338 of 1987.

Also,

No. 873 Resolution transferring the sum of \$25,000.00 from Code Account No. 1051, Index Code 105106, Equipment, Office of the City Controller to Code Account No. 1048, Index Code

104802, Miscellaneous Services, Office of the City Controller. This transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1988.

Which were read and referred to the Committee on Finance.

**The Chair (Pro tem)** presented

No. 874 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of the Department of General Services, Warehouse Inventory, as of December 31, 1987.

**Mr. Ferlo:**

Point of procedure. I have comments about the audit; at what point would it be appropriate to make them?

**The Chair:**

Right now.

**Mr. Ferlo:**

Okay. Just very briefly, if I may be permitted. One of the things that always struck me as somebody out in the community before I took office is the willingness of Council to receive the various audits from the Controller's Office and, unfortunately, most of the time there was not discussion. Maybe that's for good reason. But I would like to suggest that in the future when we formally receive these audits there at least be some admission or recognition on the part of Council as to the content of the audit and its recommendations, even though it's up to the executive branch to make corrective actions if they're suggested. In the future, obviously, there may be some audits of a performance nature that would be somewhat more controversial. But on this note, I did have the time quickly,

today, we only received this audit today, to review it, and I'd like to comment very briefly if I may be permitted.

This audit of the General Services warehouse recommends four things. First, the method of inventory evaluation should be maintained as the weighted average method. Secondly, the mark-up on the inventory supplies charged to City departments receiving goods should be revised from time to time depending on the rate of inflation. Thirdly, identification of the inventory in the warehouse should be improved by adding pre-printed labels to each item in stock. Fourth, the inventory system should be computerized and linked to the General Services Department in the City County Building.

I know sometimes its viewed that the Controller's Office is not meeting a mandate in performance audits but, in this case, I think the staff has done an excellent audit and the recommendations that have been talked about in this audit, in fact, are already underway by the Administration and Director Botsford's comments relative to this audit are that the recommendations are being implemented or they already are implemented.

So, I'd just like to note that in the future I hope that Council will take time not only to make comments about these various audits but, if need be, some of the more controversial audits that a public hearing process would be appropriate.

Thank you, Mr. Woods.

**Michelle Madoff:**

Mr. President, I think it might be appropriate at this time to inform my colleague, Mr. Ferlo, that the process has always been that no one was allowed

to address those issues because I've tried repeatedly to do that.

**The Chair:**

Well, it's just being introduced right now. He's discussing the audit.

**Michelle Madoff:**

I'm suggesting we have a post agenda on the audits.

Also,

No. 875 Communication from Richard Cosentino, Executive Director, Pittsburgh Water & Sewer Authority, submitting the Annual Report of Municipal Authority, for the year ending December 31, 1987.

Which were read, received and filed.

#### REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 876

Report of the Committee on Finance for June 1, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 640

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent accounting firm to perform the annual audit for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations."

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Which was read.

**Mr. Ferlo:**

Mr. Chairman, I would like to make an amendment to Bill No. 640 in relation to the \$600,000 expenditure for the year-end audit of the City of Pittsburgh. This is an amendment that I offered in the Committee Session; I will once again offer it here today to see if Councilmembers have re-evaluated their position. I would like my comments brought forward on this bill also.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 640 - WEDNESDAY, 6/1/88)

Mr. Ferlo:

I would like to offer an amendment to this bill. Unfortunately once again I would dispute our learned Solicitor.

Basically I would like to offer an amendment on the appropriation for \$200,000.00 for the next three years.

I feel strongly and I think Council in many instances in the past has supported the basic notion of set asides or the need generally to increase the amount of business going to women and minority owned firms in the City of Pittsburgh and I'm offering an amendment to this appropriation and I would read it quickly.

"Section Two, the amendment would be the independent accounting firm that is selected is to maintain within the City of Pittsburgh a headquarters or place of business.

Section Three, the independent accounting firm that is selected is to comply with the minority and women set aside policy. The firm will enter into an agreement or agreements with the Pittsburgh based minority and/or a woman-controlled auditing firm for a sum not less than 25 percent of the total contract amount to assist the independent accounting firm in conducting the annual audit of the City of Pittsburgh."

I think generally speaking the Administration has made some serious efforts over the last decade to increase the amount of dollars going to Pittsburgh-based companies as well as women and minority firms, however I think there is much more that could and should be done. I think it's entirely within the legality and rights of City Council prior to approving legislation to dictate the perimeters of the legislation. I disagree with the Solicitor's opinion because he's referring to some notion that we are getting involved in contracts.

Mr. Pellegrini's opinion is not a good opinion for this Council because he would basically make us governmentally impotent. His suggestion is that we don't have the kind of prerogative to attach amendments and to set the perimeters for legislation, obviously I would disagree and I would hope that members of Council would disagree with that also.

The only proper thing that the Solicitor did talk about and I would have to agree with him is that there is pending court

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action by the Supreme Court on the whole issue but it doesn't mean we shouldn't proceed or move ahead with something if we think it's fair or within our power to do it. If it's something that Supreme Court overturns in the future, so be it, but there is no reason why we can't move affirmatively in the area of minority set asides and the one area where we have the most power to do this, the most lucrative area is the area for Professional Services Contracts. And my discussion here today basically is if we're not going to do it in an area where we have the most power to do it, then we're never going to do it anywhere so with that in mind I would like to offer an amendment as read.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Mr. Ferlo:**

The amendment, and Councilmembers have a copy on the table here today, to Bill 640 reads: "Section 2. The independent accounting firm that is selected is to maintain within the City of Pittsburgh a headquarters or place of business." And 3, "The independent accounting firm that is selected is to comply with the Minority and Women's Set Aside Policy. The firm will enter into an agreement or agreements with a Pittsburgh-based minority and/or woman controlled auditing firm for a sum not less than 25 percent of the total contract amount to assist the independent accounting firm in conducting the annual audit of the City of Pittsburgh."

**Michelle Madoff:**

I second that for discussion.

My understanding, and having worked on the minority issue and trying to get an agreement between the Administration and the groups that were very interested in seeing that they got their fair share of the pie was that we do have in place a 15 percent mandatory, I don't know if it's mandatory but certainly striving for 15 percent on all contracts as an achievement goal.

I don't have a problem supporting Mr. Ferlo because all it does is say yes, I agree that we should do it. But my understanding is that we are indeed already doing it. What was discussed at Wednesday's meeting was that we might want to have an update from the Administration, have a post agenda or a hearing update, and I suggest a hearing only from the point of view that at that point it is covered so the public knows what's going on by cable.

What is the status of meeting our

goal of 15 percent, both in contracts and in materials? It seems to me that we only are achieving at a very low level in the contractual basis it is very limited. But in merchandise we are meeting the 15 percent; the contracts have been set and bonds have been set at a lower level. I remember Mr. Jacoby came to us and said, "I've only been here a short while and it isn't 15 percent, it's less than 1 percent." I don't know whether it switched over, that the contracts are doing better, or whether the materials are doing better. But I think we need to have an update as to the status of how we're meeting our goals for minority and women. And that should be separate and apart from a separate bill.

I thought we had agreed that we were going to do that, Mr. Perry. Wasn't there something that we agreed to Wednesday?

**Mr. Perry:**

You did say you would have it put in a separate bill but --

**Michelle Madoff:**

And you did not prepare one? We have to prepare it.

**Mr. Ferlo:**

Mr. Woods, very briefly, since this was discussed at length in the Committee Session. I agree with Michelle and I hope that either she, myself and others may submit a landmark legislation to cover the whole ball of wax, but until that happens I see no reason whatsoever why a professional service contract which is the most lucrative contract given out by the Administration with the greatest amount of leeway and prerogative on the part of the City to take corrective action. What I'm suggesting, Mr. Chairman and

members of Council, is that there is corrective action that is needed relative to the amount of money that has gone to minority and women owned companies doing business in the City of Pittsburgh.

My amendment takes corrective action. It addresses a corrective action in relation to the amount of dollars of our City budget that go to people and businesses within the City of Pittsburgh. I think it's perfectly legal, it's perfectly appropriate, and it does take corrective action. So, I want to make it clear why I've offered this amendment and I hope that my colleagues will support the amendment. If not, I hope we vote down this bill. There's no hurry to approve this. Let the Administration come back with some other arrangement. I find it ironic that an authority in the Administration can often times award a bid that is not even the lowest, such as the case of Mr. Schmeiser and the Equipment Leasing Authority where they've been pretty much giving dollars away, but here we have an amendment to take corrective action to those in the community, in this case minority owned businesses and women owned businesses who would like a piece of the action. I think it's an appropriate response of government and that's the reasoning for my offering the amendment.

**Mr. Lyons:**

Mr. President and Council, while the intent of the amendment is good, Mr. Turner and Mr. Young last week said it was in place that they would have a minimum of 15 percent.

I oppose the amendment in it's entirety because I need a breakdown or further understanding of the word minority here because that can be a blanket and it can go to one group of minorities and not the other. It minority

is broken down to so much percentage for blacks, so much for women, I would buy it. But this way, minority is a coverall and a blanket and it doesn't specify who the minorities are.

**Mr. Ferlo:**

Mr. Woods, it's unfortunate that I have to explain the term minority because I think it's very clear in the history of this City, all of the legislation passed to date, all of the case law on the books, all of the executive orders by the Administration, each and every one of those times the word minority has been very clearly meant to be the following; and that is, racial minorities, exactly black businesses in the City of Pittsburgh. I don't think that's very complicated or very confusing and I think the amendment language is very clear and very specific. Thank you.

**The Chair:**

I just want to disagree on one point. Minority in the City of Pittsburgh is Hispanic, women, Black, American Indian. There's a lot of different ones.

Okay, all in favor of the amendment?

**Mr. Ferlo:**

Aye.

**The Chair:**

The amendment fails.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale     Mr. Wagner  
Mr. Lyons           Mr. Woods  
Michelle Madoff     (Pres't Pro tem)

AYES 5               NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 793

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Disposable Waste Systems, Inc. in the amount of \$3,393.63 for the repair of a disposable waste system at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 794

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Westinghouse Elevator Company in the amount of \$19,300.00 for the purchase and installation of replacement handrails on the escalator at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale     Michelle Madoff  
Mr. Ferlo           Mr. Wagner  
Mr. Lyons           Mr. Woods  
                         (Pres't Pro tem)

AYES 6               NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 803

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's II-A State Educational Grant Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 804

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's II-A Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"



The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 877

Report of the Committee on Public Works for June 1, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 734

A Resolution entitled, "Resolution providing for an Agreement granting to Carnegie Mellon University the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon University in the 4th Ward of the City of Pittsburgh, vicinity of Forbes Street and Margaret Morrison Street."

Which was read.

**Mr. Wagner:**

I'd like my remarks brought forward on Bill No. 734 for the Record.

(REMARKS ON FOLLOWING PAGE)

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(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 734 - WEDNESDAY,  
6/1/88)

Mr. Wagner:

I'd like to make a brief comment and Mr. Ferlo, the bill is now in your committee; it wasn't originally so you can have the final comment if you wish, but I'd just like to make a brief comment.

I think Council has made a moral and political commitment with divestiture legislation in the past that was spearheaded by Councilman Robinson at the time of which it passed Council unanimously, and so Council from a city perspective has made a commitment, and probably one of the first governmental bodies in the country that made that type of political commitment. This is illegal according to our Solicitor and I can't state that any clearer. We cannot legally proceed with this type of an amendment. However, I think Mr. Ferlo should get a response from CMU and I would hope that prior to final vote on this legislation this Monday that Dr. Cyert would respond in writing to this Council and in particular to Mr. Ferlo.

I also agree with Mr. Woods that simply by making the issue a public issue a lot has been accomplished and a public awareness is there that was not there in the past.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Mr. Wagner:**

I'd like to make a motion to recommit Bill No. 734.

**Mr. DePasquale** seconded the motion.

**Mr. Ferlo:**

Objection. I think this is obstructionist. I think this bill has been held. I'm sure the University would like to have their permit. I see no reason for holding this bill whatsoever and I think there should be a vote today on the bill.

**The Chair:**

Is there any other discussion on the recommitment?

All those in favor? Opposed?

**Michelle Madoff:**

Opposed.

**Mr. Ferlo:**

Opposed.

**Michelle Madoff:**

Excuse me. Could I have a roll call vote on that?

**The Chair:**

Let me just tell you. You and Mr. Ferlo voted no and four people voted aye.

**Michelle Madoff:**

I didn't hear that. I'm sorry. You voted aye but I didn't know.

**WHICH MOTION PREVAILED.**

**Michelle Madoff:**

Point of Order. Mr. Woods, didn't you agree that you and Mr. Wagner would try to meet with Cyert?

**The Chair:**

I've talked to him, yes.

**Michelle Madoff:**

Are you going to tell us what happened?

**The Chair:**

At Wednesday's meeting.

**Michelle Madoff:**

Okay.

Also,

Bill No. 815

A Resolution entitled, "Resolution granting unto the Giant Eagle, Inc. their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a bus shelter on a portion of the sidewalk of Penn Avenue in the 7th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 816

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at Oranmore and Brintell, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 878

Report of the Committee on Planning, Housing and Development for June 1, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 797

A Resolution entitled, "Resolution providing for the filing of a Community Development Block Program Grant Final Entitlement Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of

other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Also,

Bill No. 798

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$143,600.00 to the Pennsylvania Department of Community Affairs for the Low Income Housing Demonstration Program."

Which was read.

Also,

Bill No. 799

A Resolution entitled, "Resolution providing for a Low Income Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$143,600.00 in Rental Housing Development Improvement Program or Rental Rehabilitation Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 800

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Homewood Brushton Revitalization and Development Corporation for an amount not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 801

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Hill Community Development Corporation for an amount not to exceed \$15,000.00 under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 802

A Resolution entitled, "Resolution providing for an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of four (4) single family units to be constructed in the 3rd Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff for Mr. Pollock presented

Bill No. 879

Report of the Committee on General Services for June 1, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 814

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contract or Contracts to purchase Pro-gard Trunk Organizers for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 880

Report of the Committee on Parks and Recreation for June 1, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 786

A Resolution entitled, "Resolution authorizing the City of Pittsburgh, through the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements with the Port Authority of Allegheny County whereby the Port Authority shall have permission to utilize a portion of the Zoo Parking Lot #2 as a 'designated Park-N-Ride Area.'"

Which was read.

**Mr. Ferlo:**

On Bill 786 which approves the

Park-N-Ride for the Port Authority Transit. down in the Zoo, it's my understanding after urging Councilman Wagner and others on Council that this is the regular 71-B bus, the Highland Park bus which will not end at Bunker Hill but will go down the hillside towards Butler Street and then come back up and that is a very dangerous curve and I hope upon passing this piece of legislation, give all the accidents that have happened in the Oakland bus corridor, that there be some lighting and proper safety designs for that hill coming down. The Hill Drive is the formal name of the street coming down, and I hope that it's marked with a 5 m.p.h. speed limit and some other kinds of safety measures so we're not having people run over because Hill Drive is a thoroughfare where pedestrians walk frequently. So, I hope upon approving this that there will be corrective actions taken so we're not talking about somebody getting killed by a bus a couple a months from now.

**Mr. Wagner:**

I'd like my remarks brought forward, Mr. President, on that same bill, Bill No. 786.

(REMARKS ON FOLLOWING PAGES)

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(MR. WAGNER'S COMMENTS ON BILL NO. 786-Wednesday, 6/1/88)

Mr. Wagner:

I have a question. Is this what I have been requesting for you to do for several years?

Ms. Brown:

Yes.

Mr. Wagner:

Where will this bus originate to go to the zoo?

Ms. Brown:

This is the 71B, which originates I guess Downtown, travels throughout East Liberty and Highland Park, through that corridor, and previously had stopped up at Bunker Hill and then would not make any stops at the Zoo.

It will now come down Hill Road, make a stop at the Children's Zoo and make another stop down by the Zoo parking lot.

Mr. Wagner:

All right. Are we going to publicize where this bus leaves from? Is that our responsibility or the Port Authority's?

Ms. Brown:

We are working with the Port Authority. There will be a grand dedication opening on June 11th, which is when the bus service will start. There are bus cards that will be placed in all the busses informing the public that you can now make tracks to the Zoo on PAT.

Mr. Wagner:

Are we in any way going to make this bus different from the other busses to make it reflect the image of the Zoo?

Ms. Brown:

We have talked about a Zoo bus, but there will be continuous bus service to the Zoo seven days a week. So obviously, there will be different busses that they will have. They have not decided on whether they will have one single Zoo bus.

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Mr. Wagner:

Is there any way in which this Council can assist to do that, maybe with CD monies? I know we do it with another bus route or two in the City that the Port Authority does not frequent. But is there any way we could -- again, I am asking this question, I ask it at budget time each year -- construct a bus that reflects the image of the Zoo with animals and makes it fun for children to ride and is an advertising vehicle 24 hours a day, seven days a week?

Ms. Brown:

We would have to discuss that at greater length with the Port Authority. As I recall, they were not interested in decorating one bus that would be a Zoo bus, that may or may not go to the Zoo, it may just travel throughout the area.

Mr. Wagner:

Could we buy a bus and do that and then have them operate the bus?

Michelle Madoff:

You're talking about one-half million dollars.

Ms. Brown:

It is pretty expensive.

Mr. Wagner:

Or reconstruct a bus?

Ms. Brown:

It would be probably expensive. We can check. I will check to see whether that would be legal under the Port Authority.

Mr. Wagner:

I have been asking for three years that that be checked.

Ms. Brown:

We have, and the Port Authority has not expressed a great deal of interest in spending their money to make some additional improvements to the interiors of their busses or even the exteriors. You may recall that years ago they used to have



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different kinds of busses, Steeler's busses, Pirate's busses, and they no longer had that kind of promotion for campaign anymore because, I believe, of the cost.

For the City to purchase a bus, I have no idea how much a bus costs, I bet it is pretty expensive, or to retrofit another bus that would be needed, maybe, in other services, I don't know.

I think we have made a major step right now just by getting public transportation to the Zoo.

Mr. Wagner:

I agree, and I am very pleased to see this bill come in front of us.

I would just like to add, though, that the problem with the Zoo is the location of the Zoo; I have always said that. It is at the farthest most point from the City in terms of Downtown, and we need to have a dependable transportation link, and if we can advertise that with a certain type of bus, I really believe it is the way to go. It would have a tremendous return, in terms of advertisement, all the time, traveling throughout the City. And I would like to see us initiate something along those lines in the future.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 787

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation on behalf of the City of Pittsburgh, to enter into a License Agreement or Agreements with the Bell Telephone Company of Pennsylvania to allow installation of 'communications equipment on, over, under, along and across a certain part of property in the City of Pittsburgh, known as the Wabash Playground, situate in the 20th Ward, in connection with service in the area."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 881

Report of the Committee on Public Safety for June 1, 1988 transmitting one

ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 530

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1987 Edition and a new Title Ten - Building, 1987 Edition."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale for Mr. Coyne presented**

Bill No. 882

Report of the Committee on Engineering and Construction for June 1, 1988 transmitting sundry resolutions to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 795

A Resolution entitled, "Resolution further amending Resolution No. 390, effective April 30, 1985, as amended by Resolution No. 611, effective September 21, 1986, entitled: 'Providing for an Agreement or Agreements, or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome and Satellite Domes; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$250,000.00 from \$550,000.00 to \$800,000.00."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on Bill No. 795, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 795 - WEDNESDAY, 6/1/88)

Mr. Ferlo:

Director, please educate me a little on these things. Are these the things that you see around the city and along the highway--the dome that keeps the salt inside?

Dir. McDermott:

That is correct.

Mr. Ferlo:

And it cost \$800,000.00 to build something that's a bunch of two-by-fours and shingles?

Dir. McDermott:

No. The \$800,000.00 is the total budget for four of them. Two of them we have already built and we're asking for an increase of another \$250,000.00 to take it up to an \$800,000.00 figure so that we can build two more at approximately \$200,000.00.

Mr. Ferlo:

What are these things made of--gold?

Dir. McDermott:

Gunite. They are 100 feet in diameter.

Mr. Ferlo:

What's the framing of this?

Dir. McDermott:

There is no framing. They use an air-inflated balloon. They apply their reinforcing to it and then they spray the concrete.

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Michelle Madoff:

I'm very familiar with the process.

Mr. Ferlo:

I'm through. I'm voting no.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Mr. Ferlo:**

The reason why I'm not supporting the expenditure of \$800,000 for the construction, the engineering and design consultants, for two or possibly three salt storage domes, the basic point is that I think it's an outrageous expenditure. I've been led to believe that these are domes, I frequently see them on the Turnpike; I saw them yesterday as I was driving back from Harrisburg, and they do not seem to be very complicated units. They're fiberglass; they're constructed fairly easily. I can't imagine that we could not get copies of design work already done by the State or other kinds of municipal agencies that have already constructed these. I just have a hard time fathoming why we're spending \$800,000 for the construction of these domes when I believe it could be done in-house, as I've said many times before, by the very competent architects and engineers that are presently on staff at great costs to the taxpayers in the Department of Engineering and Construction.

Again, I think it's a case of the McDermott Marauders who I do not think we should reward continually with grandiose amounts of money for consultants. I would hope that Council will vote down this expenditure.

**Michelle Madoff:**

I'm glad to see that one of my colleagues is beginning to see the light of what is going on in Construction and Engineering. He has only just scratched the surface; we're only seeing the tip of the iceberg. It is so unbelievably bogged down, I believe because of mismanagement, that it would take a whole staff of people working for an extensive period of time to find out what really goes on there.

I would think that the appropriate thing would be to talk about audits, to have an audit done by our Controller, on these bills. It would be appropriate to call for an audit of Construction and Engineering, what went on before Mr. McDermott took over, how many contracts were issued, how many contracts they are behind, what kind of dollars, what kind of staff, they've increased their staff by a third, and yet have gone out for more consultants than ever.

**The Chair:**

I would just like to ask my colleague to remember one thing before we vote. You all have your opinions and I may agree or disagree. But let's try to keep personalities out of this. The next time we debate a bill, it would be good to use a department instead of a particular person's name. I think that's only courteous and I think we all want to be that way.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 4                      NOES 2

(MR. FERLO AND MICHELLE MADOFF  
VOTING NO)

And there only being a majority of votes of Council present, the bill was tabled.

**The Chair:**

This bill was tabled because, while it got the majority of the votes present, it didn't receive five votes. So, if someone wants to untable it when there's a full Council, it could possibly pass.

Also,

Bill No. 791

A Resolution entitled, "Resolution amending Resolution No. 557, effective July 20, 1987, entitled: 'Providing for an Contract or Contracts, or use of existing Contracts, for the Roof Rehabilitation and Masonry Painting of No. 5 Police/No. 8 Fire Station; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$47,000.00 from \$40,000.00 to \$87,000.00."

Which was read.

**Michelle Madoff:**

I think Mr. Ferlo is right on the button on this issue and not only Bill 795 where we're talking about salt domes for \$800,000, it's almost \$1 million, but on Billk 791 where we're talking about doing a roof rehabilitation and masonry painting of the No. 5 Station. I don't think that is an additional \$47,000 worth of work. I think there are a lot of unemployed people who can do roofing work and painting that would not cost \$47,000 additional monies. And I think we better start calling for an audit and start looking at what's going on before this City is entirely bankrupt.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 792

A Resolution entitled, "Resolution amending Resolution No. 112, effective March 8, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the P.J. McArdle Roadway Sidewalk Rehabilitation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$11,000.00 from \$225,000.00 to \$236,000.00."

Which was read.

**Mr. Ferlo:**

I said too much on Bill No. 792, the McArdle sidewalk. I can't talk about it anymore and I hope that Council will vote that legislation down. It's a waste of money.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 828

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts to remove fire damage and make repairs to the Leslie Bathhouse; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 829

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by reducing EC 88-23 by \$100,000.00 NPA funds and showing \$100,000.00 prior year CD funds available; by increasing EC 88-47 by \$200,000.00; by creating a new line item (EC 88-67); and by adjusting the

Summary Totals."

Which was read.

Also,

Bill No. 830

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for repairing and restoring of South Side Riverfront Park damaged by the Ashland Oil spill; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bill No. 830 in relation to the \$200,000 that needs to be spent to clean up good old Ashland Oil's present to the City along the Mon, I would hope that we make sure that we're vigilant in getting back all of our costs, not only the \$200,000 but any amounts of interest payments or other kinds of expenses that will be incurred either because we have laid the money out in advance. Personally, I think we should get a check from Chairman Hall and Ashland Oil ahead of time instead of us having to take it out of our pocket.

Also,

Bill No. 831

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Permit Picnic Shelters, including but not limited to the Riverview Activities Buildings; and providing for the payment of the cost thereof."

Which was read.



**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair:**

No. 883      Communication from Sophie Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Justin L. Johnson, 509 South Highland Avenue, #14, Pittsburgh, PA 15206, as a member of the Civil Service Commission, for a term to expire with the Mayor's term of office.

Which was read, received and filed.

Also,

No. 884      Resolution approving the appointment of Robert B. Quigley, Jr., 3953 McClure Avenue, Pittsburgh, PA 15212, for an unexpired term as a district member of the Pittsburgh Cable Communications Advisory Committee, for a term to expire December 31, 1989.

Which was read.

Mr. Lyons moved to approve the appointment.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

Mr. President, this may disturb Mr. McCaren of the Pittsburgh Press but I received some calls during the week that had to do with some open solicitation for male prostitution. At the corner of Forbes and Craig every Friday night, it appears, from the hours of 11:00 p.m. to 3:00 a.m. there's open solicitation for male prostitution.

I took it upon myself to go up there. I was well concealed this week and I was utterly amazed. They're all over that corner and on up to, I believe it's Filmore Street. It's a highly residential area; it's a high business area. Yet, at the same time, this has been going on for some time. I immediately contacted some people in the Police Department and wanted to know why in the heck something wasn't done about that area. I was told in the past they've made arrests, brought them down to the station, and as quick as they brought them down, a member of the American Civil Liberties Union, an attorney, was there springing them to get them out. They say it's a hopeless situation; there doesn't seem to be a thing they can do about it. I say there has to be something that can be done about it. It's absolutely a disgrace. They're out there as openly and brazen as you could want someone to be.

Now, I'm going to say this also for the benefit of Mr. McCaren of the Pittsburgh Press. These people who are doing the soliciting are not coming from a gay bar which is on Forbes called the Holiday Bar. Those people there have

never bothered anybody and nobody has ever bothered them. They go about their business and everybody else goes about their business. The solicitors are coming either from Shadyside or other parts of the City of Pittsburgh. They are not from that bar and they are not from that area there. Nobody seems to know who any of them are. But it's going on and the police claim that it's a helpless or hopeless situation.

I thought this should be brought to the attention of Council and, once more, the Police Department vowed that they would do something about this situation to try to alleviate it.

**Mr. Ferlo:**

Mr. Chairman, on two separate matters, very briefly. Tomorrow in Chambers there's a public hearing in relation to the Hunger Act which I've submitted a series of bills related to raising money by not infringing upon the limited resources of the City budget. That public hearing begins tomorrow at 10:00 a.m. and I believe people can still call in if they'd like to speak either in favor or in opposition to the legislation, one of which being a little more controversial, the \$500 license fee for the video poker machines.

So, I want to encourage people to attend the public hearing tomorrow on the Hunger Act and call 255-2138, pro or con, if you are interested in speaking on the legislation.

Secondly, Mr. President, I would like a letter sent, if my colleagues would concur, to the Mayor and/or the Director of Public Safety. This afternoon I had reason to tour the City garage and I was amazed, once again, to learn that at least three of our brand new multi-million dollar fire trucks have been damaged. Some were damaged when the

firefighters were driving them who, I believe, have had more than a decade of experience driving these unbelievably humongous, outrageous, ridiculous expenditure by the previous Council. It seems as though we are stuck with these white elephants.

I think it's important that we receive a report because I know of four of these trucks that have been damaged so far. I think we should at least know how they were damaged, how much is involved in the damage in terms of the cost which seems as though we're going to make the Doerr Brothers Company rich on these new fire trucks we've bought. How long will they be down? How long will they be out of service? What kinds of corrective action is going to be taken relative to the safety of these vehicles?

I've been led to believe that people, including firefighters who I have a lot of respect for and we should all have respect for and who have many years experience at driving these vehicles, even they are having a difficult time managing these vehicles. And if people with ten years' service who have driven these things all their life, every day, are having a difficult time, I don't know what the heck we're going to do when one of them might be out on vacation and one of the recruits or one of the newer firefighters takes charge of one of these vehicles. But I think it's important that we receive a report from Public Safety regarding the incidents of these four wrecked vehicles and some of the questions that I've outlined.

I like to ask, if my colleagues would cooperate, that we communicate this in written form from our President. Is there any objection?

**The Chair:**

No.

**Mr. DePasquale:**

Just to elaborate on what Mr. Ferlo said, I've been informed by people in the same situation he's talking about. I also looked at a couple of the rigs last week and I'm dumbfounded as to how they get around our narrow streets. They're just too big. Whoever ordered them, it was an absolute mistake. Pittsburgh obviously is an old City and we have a lot of narrow streets and there's going to be difficulty maneuvering on a lot of streets in the City of Pittsburgh in those big rigs.

**The Chair:**

Okay, there's no objection so we'll get those letters out.

**Michelle Madoff:**

Mr. President, I think it's important that we do what we can to try to keep the Koppers' jobs in this area. Last week, if I may reiterate what has happened, due to the efforts of my colleague, Councilman Wagner, who had introduced legislation, a resolution I believe, to try to keep the Koppers' jobs here, he was contacted about having a meeting with Council on Friday morning at 11:00. There was some kind of miscommunication where he had set up the meeting, agreed to have it, and Koppers did not confirm the time.

I had heard through another source that there was a meeting — I called Mike Perry at home Friday night at about 11:00, I called Mr. Ferlo about midnight, and nobody knew about the meeting. My source was so impeccable, I thought, I heard it from a media person, that there is definitely going to be a meeting, and

it seems there was except for the miscommunication that I had gone over a request to tape for Channel 4 and Mr. Beazer was there. I had the privilege of meeting him and getting to talk to him. I thought it would be appropriate to invite him to come to this meeting I thought was going to take place Friday at 11:00. He said, "I will have to check to see if I can come." He called his attorneys and said, "Yes, I will be delighted to come."

I then thought that the days of our being protagonist with the Administration should end. I called over to Mayor Masloff's office and spoke to Mr. Jacoby's secretary, I couldn't reach anybody, and said I think it appropriate that we let the Mayor and Mr. Jacoby know that, in all likelihood, Mr. Beazer, if no one else from Koppers, would be meeting with Councilmembers, whoever was available. I think there were about four or five of us at that point, either aides or Councilmembers who would meet with Mr. Beazer at 11:00.

I don't know what took place and, whatever happened, I'm delighted. The Mayor, Mr. Jacoby, legal counsel got together with Mr. Beazer and there was some kind of an agreement to agree in principle to do whatever they can to keep the company here. I don't know if the contract really says anything very different than what Mr. Beazer has said all along.

The reason for my going back over the history is that I want to tell you that many years ago I had dealings with Koppers. Koppers had both been a polluter and a manufacturer of pollution control. I'm very familiar with the Koppers plant in Bridgeville. And for those who may not know, the portion of Koppers that was purchased by Mr. Brian Beazer is a very small percentage of the jobs. Ninety percent of the jobs are in

the chemical division. Their only hope of keeping that 90 percent of the jobs, and there are 800 jobs at the Koppers headquarters, is for the management to do a leverage buyout and that's in 45 days. That's all they have, 45 days.

I think Commissioner Foerster made the most eloquent and probably logical statement right off the bat which was, let's get on with giving help or trying to see what we can do through the State or through any financial insitutions to see that a leverage buyout can be accomplished in the next 45 days. The other option is that the chemical division, in reality, could be broken up into 10 or 20 companies with various and sundry people acquiring them and we have no guarantee that jobs would indeed remain.

I'm a little bit confused about the fact that we'll keep 1,500 jobs here when there are only 1,100 to start in this area. But, be that as it may, there are 15,000 Koppers jobs that are not in this area. The whole ball of wax, the whole Koppers jobs, are 15,000 of which 1,100 are in this area, and 90 percent of those 1,100 are not in the area that was purchased which is the construction area; it's indeed in the chemical area.

I think it might be a good move to show we are in support of the keeping of the chemical division here by adding our support in a letter both to Commissioners Foerster and Hafer and Flaherty and to our Mayor that we move to find the dollars to permit the leverage buyout of the chemical plant in its entirety.

I would like to so move that a letter be sent and that all of Council concurs with that, that we offer whatever support or interest or any avenues that we might suggest to get PNB, Mellon, Equibank, anybody, to

support this leverage buyout. As I say, it's only 45 days; there isn't much time. I think that we ought to say that we care. You don't care who gets credit for doing it; we just want to see it happen. I make that in the form of a motion and I hope someone would second it.

#### **The Chair:**

Does anyone object? Put the letters out.

#### **Mr. Ferlo:**

I just have one concern. One of the reasons why Koppers would like to rid themselves of this division is because of a number of very real economic problems and crises facing chemical divisions, not only in this company but across the United States. And I would hope that before any public dollar commitment is invested that there is a formal market and feasibility study which I would hope would preceed any public dollar commitment relative to a buyout.

#### **The Chair:**

I don't think Ms. Madoff meant public money. We just encouraged them to get involved.

#### **Mr. Ferlo:**

I heard her say public. Excuse me.

#### **Michelle Madoff:**

May I point out that I had some concerns about the environmental issues and I called to find out what is happening. It seems that the best people to address the environmental issues, as it was put to me, it's like somebody saying, you take over my life; I've got a wooden leg. It's hard to live with a wooden leg if you haven't had one all your life. It's also very difficult to manage the

environmental impasse of Koppers and it is easier for those who are used to dealing with it who understand it and those, indeed, are the marketing and the people who are trying to buy out the company, management people, who are familiar, and they have set aside, I think, it's \$15 million a year, I'm not sure what it is, to keep in compliance with environmental regulations. That's one of the reasons I would like to see Koppers buy it because we'd have a better chance of meeting the environmental controls and seeing that whatever has to happen will happen. I think that letter ought to go very, very rapidly.

**Mr. Wagner:**

Mr. President and members of Council, on the same subject. I'd like to compliment our new Mayor for her involvement in Koppers' situation. Initially her reaction was very negative but so was mine and I think so was everyone else in the City of Pittsburgh. But once we all realized, and once she realized, that Koppers had made an agreement with Beazer, in essence, there was nothing that could be done because two companies had made an up-front agreement, one to sell out to the other under certain terms and certain stipulations. From that point, a meeting was held, I guess, Friday morning and certain conditions were worked out which I think will, over the long haul, be in the best interest of the City; a possible headquarters in the City of Pittsburgh if Beazer ever expands in the future, keeping the Koppers' name, guaranteeing one year employment with salary employees, and hopefully, the same will hold true with union employees, and giving the Pittsburgh management the first opportunity to buy the chemical division which I think is really where all the jobs are, obviously, over 1,000 of them. I compliment her and her staff for actively becoming

involved in those negotiations and getting some up front commitments from Mr. Beazer.

Another point I want to make is that all along I have been very concerned and disturbed about this buy-out, not that one company was trying to buy out another company but an investment banking company, Shearson, Lieman, Hutton which is owned by American Express, was putting up money to help Beazer buy out Koppers. What that exact amount of money is, I don't know precisely, but I think it's \$40 million or \$50 million they were putting up to help from an equity position for the buyout of that company.

Seeing that that has occurred and seeing that Shearson, Lieman, Hutton and American Express, their parent company, will profit from this buyout, I would like to see Shearson, Lieman, Hutton and American Express become an equity partner and contribute the management Koppers and the buyout of the chemical division also. Now, if Shearson, Lieman, Hutton who is located here in America, and American Express also is as concerned about the chemical division as they were about Beazer, I would like to see them participate. So, what I am going to do is, I am going to write Mr. Peter Cohen, the CEO of Shearson, Lieman, Hutton, and ask him to do the same with the Pittsburgh based management of Koppers that he has done with Beazer, a foreign concern. And when I do that, I will share that letter with all of you and also with the Mayor.

**Mr. Lyons:**

On the same subject, Mr. President. I'd like to commend the Mayor and the entourage that she put together to meet and deal with Mr. Beazer last Friday. I think it was very commendable of the commitments that

she has gotten from him. I feel that a letter should go from this Council in her support. I don't feel that we should open up new avenues as Council or make a lot of fronts. I support Jack Wagner and what he's saying to write to the stockbrokers, but also, I think first and foremost, we should support the Mayor verbally, openly and very publicly.

**Mr. Ferlo:**

Very briefly, I want to concur with my colleagues, Mr. Lyons and Mr. Wagner. I think this is one of the first actions that Mayor Masloff has had to take that was difficult in terms of negotiations and interaction with corporate people and I want to join in applauding the efforts of Mayor Masloff.

But on a more candid note, one of the agreements in the memorandum has to do with Mr. Beazer possibly having an apartment or a house in the City and I'd just like to know the most important question, and that is, do we get four percent of his income if he maintains an apartment in the City of Pittsburgh? Thank you, Mr. Chairman.

**Michelle Madoff:**

I'm probably going to say something very unpopular but, you know, as my hero, Harry Truman, said, "I never give them hell; I just tell the truth and they think it's hell."

I agree, all of us were distressed when we heard that Mr. Beazer was going to be buying out the Koppers plant. I learned about it, I was home ill with the flu, and I got a call from a reporter asking me if I knew about the lawsuits that were filed and what they meant. I said no, I didn't even know they were filed.

So, I called the Law Department

and found out what was involved. I then called Koppers to find out what was actually going on. And after I did my homework and I found out what was happening, it became very eminently clear that it was after the fact. We should not be worrying about history; we should be worrying about what is going to happen in the future and that is saving the 90 percent jobs. And as Mr. Brian Beazer said, when Mr. Heinrich came from Germany to start Koppers, nobody object to his being a foreigner. Our country is open to all people and we don't want to discourage investments in this community. My immediate reaction was, let's drop the lawsuit. This is nonsense because all we're going to do is delay the 45 days and put that as an impediment into resolving the problem.

I think it was horrible that the Mayor of our City, who is the first citizen of our City, went on a talk show and screamed and yelled and was not doing what she said, wisecracking, and said, "I'm going to scratch his eyes out; we've been stabbed in the back." I think we're all being very polite. We've been chastised in this Council for our shenanigans and being a circus. I read something in today's paper about Sophie calling Mr. Harrington to talk about how Jeep and Michelle have fought in Council and the image that we projected. What could be a worse image for this City than the Mayor saying, I'm going to scratch somebody's eyes out? I was appalled. I think it needed to be said and I've said it.

**Mr. Lyons:**

I move to adjourn.

**Mr. Ferlo:**

That needs a response.

**The Chair:**

A motion to adjourn is always in order.

Is there a second?

**Michelle Madoff** seconded the motion.

**The Chair:**

Are you all in favor?

**Mr. Ferlo:**

No.

**Mr. Wagner:**

No.

**The Chair:**

The motion fails.

Now, Mr. DePasquale, Mr. Ferlo and Mr. Wagner.

**Mr. DePasquale:**

I just heard the pot calling the kettle black but that's something else.

On the same subject, several years ago a young friend of mine called me and said he was in the stockbroking business and he would appreciate some business from me. That's maybe five years ago. I gave him some money and I said, "Buy me some stock." He said, "What stock do you want?" I said, "I don't know a thing about the stock market. I was there twice for a couple thousand dollars and I went under both times. So take this money and do what you want with it." He bought me Shearson, Lieman. When he bought it, it was at 10. It is now at 7.46. Now, if I suddenly get rich over this merger, this was not planned. This happened five years ago and I don't want

anybody saying it was a conflict of interest.

**Mr. Ferlo:**

Very briefly in response to my colleague, Michelle Madoff. I think her comments are inappropriate in relation to the Mayor's candid comments on radio, whether it be scratching Mr. Beazer's eyes out or anything of the sort. But I think one of the reasons why a memorandum of understanding was able to be worked out was because of the strong adversary and advocacy position that Mayor Masloff took right after the incident and I would disagree entirely with Michelle. I think the fact of the matter is that Sophie came out very strong on this issue and it was for that reason, as well as the filing of a legal action to the judge asking for some time to evaluate the deal, that they in fact set the stage for a memorandum of understanding to be worked out. So, I beg to differ with my colleague on this point and I think Sophie should be applauded.

**Mr. Wagner:**

Mr. President, I'd like to make a motion to set up a public hearing to determine the status of Strategy 21 funds that have been budgeted for various City projects, monies from the state, for various City projects that have not come forth into the coffers of this City. What I'm talking about are projects such as the Buhl where state funding has been committed, the Riverside, the Pittsburgh Technology Center and Washington's Island. All four of those projects, State funds have been committed for that and it's in the budget in 1988. And as of this date, to my knowledge, we have received no funding. It has stagnated those projects and they cannot move forward.

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**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Michelle Madoff** moved to excuse Mr. Coyne and Mr. Pollock for absence from the meeting.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Lyons** moved to approve the Minutes of Monday, May 23, 1988.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, June 13, 1988

No. 23

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, June 13, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Lyons presents

No. 925 WHEREAS, not many groups, institutions or organizations endure for 100 years. For more than 100 years, there should be pause to take note of such; and

WHEREAS, Bethel African Methodist Episcopal Church (A.M.E.) in Pittsburgh, Pennsylvania, is the oldest church of color West of the Alleghenies; and

WHEREAS, from its first Church building on Strawberry Way (Downtown) to the location on Wylie Avenue and finally to its present address at Webster Avenue and Morgan Street (Hill District), its influence has been formidable; and

WHEREAS, its stability and growth can be attributed to its congregation and, of course, to the leadership of the congregation throughout the 180 years; and

WHEREAS, its current Pastor is the Reverend Samson M. Cooper, a graduate of both Wilberforce University and Payne Theological Seminary, Wilberforce, Ohio and under his leadership, Bethel has reduced its indebtedness to a mere \$20,000.00; and

WHEREAS, Reverend Cooper has inspired the congregation to fully light the entire outside of the Church surroundings as well as adding new glass front doors and a modern institutional

kitchen stove; and

WHEREAS, Reverend Cooper has encouraged Membership Development through added new members, a Basketball team for youth, and promoting the Class Leader System; and

WHEREAS, Outreach programs such as the Annual Thanksgiving Dinner for Senior Citizens and Anyone Eating Alone continue, and others such as a Food Pantry and a Senior Citizen Program have been added in cooperation with the Pittsburgh Board of Education; and

WHEREAS, this is a reflection of the cultural and religious efforts which have inspired Bethel African Methodist Episcopal Church to maintain the achievements of their rich heritage for 180 years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls attention to this religious institution which started 180 years ago in our city and which continues to this day, and commends it as it celebrates its heritage from June 15-19, 1988; and

BE IT FURTHER RESOLVED, that we congratulate its Pastor, Reverend Samson M. Cooper, its officers and congregation, on a job done well.

Mr. Lyons moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Lyons:

Mr. President, we will have expression from a very dynamic and spiritual leader of the Bethel A.M.E. Church of Pittsburgh, the Honorable and

very able Reverend Samson Cooper.

Reverend Cooper:

To Councilman Lyons, to the members of City Council, it is indeed with deep humility that I accept on behalf of Bethel Church this very fine commendation. As has been stated, this congregation is 180 years of age, it is the branch of the Methodist Church, it is African due to its heritage being founded by a former slave by the name of Richard Allen who purchased his freedom for \$2,000. We are supervised by bishops throughout the world.

We thank you for this honor. We love the City of Pittsburgh and we'll do all within our power to share with you in seeking to eradicate some of the problems that do exist.

Thank you.

Michelle Madoff:

May I ask for Bob Gentile, Frances Wright and Jenny Reese to come forward, please?

This resolution pertains to an issue very close to my heart which is the literacy problem and the illiteracy problem. I hope the people here from the Hunger Action Coalition will understand that all these issues go hand in hand.

Michelle Madoff presents

No. 926 WHEREAS, illiteracy is a growing social problem in America with an estimated 23 million Americans unable to read or write past the fourth grade level; and

WHEREAS, Pennsylvania has one of the largest percentage of residents who are functionally illiterate and are

thereby finding it increasingly difficult to find employment in a technical and computerized economy; and

WHEREAS, two years ago Television networks PBS and ABC launched a public service campaign to address this problem by forming Project Literacy United States, or P.L.U.S.; and

WHEREAS, the International Association of Personnel in Employment Security, or I.A.P.E.S., recognized the unique position Employment Security workers are in to identify and refer individuals with reading and writing problems to their local literacy councils; and

WHEREAS, the Pennsylvania Office of Employment Security adopted this initiative by recommendation to the Pennsylvania Department of Labor and Industry who in turn dedicated its full resources to the implementation of the I.A.P.E.S. program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join in recognizing each of these Organizations for their commitment to the eradication of illiteracy; and

BE IT FURTHER RESOLVED, that the Mayor and the Council commend the Pennsylvania Office of Employment Security (Job Service and Unemployment Compensation) and the Pennsylvania Chapter of the International Association of Personnel in Employment Security for their participation in the Project Literacy United States Program, and honor all those who have been involved in the ongoing literacy efforts in our community.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I just want to point out that number, I skimmed over it, 23 million Americans are unable to read or write past the 4th grade and that we're one of the unfortunate strongholds.

Mr. Gentile:

On behalf of the Commonwealth of Pennsylvania Office of Employment Security, the International Association of Personnel and Employment Security, we thank Michelle Madoff, we thank Judith Aaronson, Director of the Pittsburgh Initiative, and we hope to continue our association in order to alleviate this terrible social problem that we have.

Michelle Madoff:

I'd like to thank Mr. Ben Woods for his leadership in raising some funds for the literacy program last year. Mr. O'Malley is not with us but they made that one of their priorities and I hope that Council will pick up this issue because you will eradicate hunger if people can read, write and get jobs. Thank you.

The Chair:

Thank you all very much.

Mr. Perry:

Will Chuck Wikenhauser, Executive Director of the Zoo please come up, and Margie Marks also.

The Chair presents

No. 927 WHEREAS, THE  
AMERICAN ASSOCIATION OF  
ZOOLOGICAL PARKS AND

AQUARIUMS is an organization which has been working since 1924 to establish zoos and aquariums as educational, recreational, conservational and scientific institutions; and

WHEREAS, The Pittsburgh Zoo is an accredited member of THE AMERICAN ASSOCIATION OF ZOOLOGICAL PARKS AND AQUARIUMS; and

WHEREAS, together both organizations wish to honor the more than 115 million people who visit zoos and aquariums nation wide; and

WHEREAS, the month of June, 1988 has been chosen as NATIONAL ZOO AND AQUARIUM MONTH.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proudly joins THE AMERICAN ASSOCIATION OF ZOOLOGICAL PARKS AND AQUARIUMS in proclaiming the month of June, 1988 as ZOO AND AQUARIUM MONTH IN PITTSBURGH.

Mr. Wagner moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Wikenhauser:

Thank you very much. We'd just like everyone to know that the Pittsburgh Zoo is working very hard to provide the City of Pittsburgh with a quality zoological institution and that the Pittsburgh Zoo is not only a recreational facility that draw over 500,000 visitors to the City each year, but also a cultural and educational asset to the community and a contributor to the worldwide conservation effort.

The proclamation this year is especially important in that this is the 90th anniversary of what used to be the Highland Park Zoo and is now called the Pittsburgh Zoo. We'd like to invite everyone out next Saturday, June 18th, at 12:30 for the beginning of the celebration of our 90th year. It will start with a cake cutting ceremony there.

One portion of our multi-media campaign to increase the awareness of the people in Pittsburgh and the nearby communities and to encourage their visitation of the Zoo was the creation of this poster that we brought along. We have these for Council for your offices. It says, "Come Live The Wild Life", and we certainly encourage you all to visit the Pittsburgh Zoo.

Michelle Madoff:

One moment. I would like to make a recommendation that for your 90th anniversary you turn the Zoo over to the County. Three quarters of the people using it are non-City residents and the people paying the debt service are City residents. And guess what? We can't afford it; we're bankrupt. Thank you. Mark me opposed on this resolution.

Mr. Wikenhauser:

We'll certainly give it every effort to making —

Michelle Madoff:

I think we all agree that's a reality.

The Chair:

Thank you very much.

**THE FOLLOWING RESOLUTION WAS  
INCORPORATED IN TODAY'S MEETING  
BY INTERIM APPROVAL LETTER.**

**The Chair presents**

No. 928 WHEREAS, the City of Pittsburgh Senior Centers are a viable and integral part of our community; and

WHEREAS, the Senior Centers play a vital role in the prevention of isolation and illness and in the maintenance of a healthy, both physically and mentally, elder population; and

WHEREAS, Senior Center provide a vital and often intial link to other services within the aging network to promote independence for elders and allow them to remain in the community and out of the institutional system for as long as possible; and

WHEREAS, the proposed 1988-89 Pennsylvania Aging Budget has no provision for an increase in funding for senior centers, even though costs escalate annually for providing services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh endorses the Statewide effort this day, Wednesday, June 15, 1988, in Harrisburg, Pennsylvania to lobby the Commonwealth Legislature to provide an exclusive funding category for the operations of senior centers through the Pennsylvania Department of Aging Network and to appropriate an additional amount of five (5%) percent (or \$6 million for fiscal 1988-89) of the total State Aging budget for this category.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

**Mr. DePasquale presented**

No. 884 Resolution providing for an Agreement or Agreements with Project 90, Inc. for providing professional services in connection with their Comprehensive Educational Program providing scholarships for low income families to send children ages 6 - 14 to camp, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services (Index Code 183806), in the Department of Parks and Recreation. —  
-(SPONSORED BY MR. DEPASQUALE)

Which was read and referred to the Committee on Parks and Recreation.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 885 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Richard S. Orange, Assistant Chief, Bureau of Administration, to attend the quarterly of the Municipal Police Officers' Educational and Training Commission Scranton, Pennsylvania, June 8-9, 1988, at a cost not to exceed \$175.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 886 Communication from Glenn Cannon, Director, Department of

Public Safety, requesting authorization for Brian Colella, Inspector, Bureau of Administration, Department of Public Safety, to attend the Fire Department Instructors Conference in Cincinnati, Ohio, March 26-29, 1988, at a cost not to exceed \$469.00, payable from the PSTA Code Account. Topics to be discussed are as follows: "A Systems Approach to the Reduction of Injuries", "Implementing the 1500 Standard", "Meeting OSHA Requirements" and other mini-seminars concerning safety throughout the week.  
**(PRIOR APPROVAL GRANTED)**

Which were read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 887 An Ordinance Repealing Chapter 267 of the Pittsburgh Code, entitled, "Exemptions for Industrial and Commercial Improvements".  
—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 888 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Barry McMeekin and John Artman to attend the 14th Annual Animal Control of the Southeastern Animal Control Association, in Columbus, Georgia, June 23-25, 1988, at a cost not to exceed \$1,800.00, payable from the Animal Control & Welfare Trust Fund. The seminar will focus on the enhancement and effectiveness of animal care and control.

Also,

No. 889 Communication from James N. Walker, Director, Department

of Environmental Services, requesting authorization for Robert Lewis and Darryl Mabrey to attend the Governmental Refuse Collection and Disposal Association's Spring Solid Waste Seminar at State College, Pennsylvania, June 29, 1988, at a cost not to exceed \$300.00, payable from Code Account No. 1181, Miscellaneous Services. Permission is also requested for use of a City vehicle. The seminar will focus on the changing solid waste environment in Pennsylvania, which may have an impact on the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 890 Resolution transferring the sum of \$1,600.00 from Code Account 10, (001008) Accounts Payable Prior Years to Code Account 1801, (180109) Miscellaneous Services Department of Parks and Recreation. —(SPONSORED BY MR. LYONS)

Which was read and referred to the Committee on Finance.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 891 Resolution authorizing and directing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Housing Authority of the City of

Pittsburgh with respect to approximately three hundred (300) units of low-rent housing, and providing for the acceptance by the City of Pittsburgh of payments in lieu of taxes from said Authority, and affirming prior Cooperation Agreements.

Also,

No. 892 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program.

Also,

No. 893 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the rental Housing Development and Improvement Program.

Also,

No. 894 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$800,000.00 to the Pennsylvania Department of Community Affairs for the Pittsburgh Construction Loan Fund.

Also,

No. 895 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$300,000.00 to the Pennsylvania Department of Community Affairs for the Vacant Housing Recovery Program.

Also,

No. 896 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$500,000.00 to the Pennsylvania Department of Community Affairs for the Federal Street Improvements.

Also,

No. 897 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$400,000.00 to the Pennsylvania Department of Community Affairs for the Streetface Program.

Also,

No. 898 Resolution providing for the 1988 Rental Housing Development and Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in Community Development Block Grant Funds, Rental Rehabilitation Program Funds, Tax Exempt Revenue Bond Funds, and Developer Private Investment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 899 Resolution providing for the 1988 Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in Pittsburgh Home Ownership Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 900 Resolution providing for the 1988 Pittsburgh Construction Loan Fund Program Cooperation Agreement with the Urban Development Authority of Pittsburgh providing for the designation and implementation of \$800,000.00 in Community Development Block Grant and Urban Development Action Grant Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 901 Resolution providing for the 1988 Vacant Housing Recovery Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$300,000.00 in Pittsburgh Home Ownership Program Funds, Developer Private Investment Funds, Urban Development Action Grant Program Funds, and Community Development Block Grant Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 902 Resolution providing for the 1988 Federal Street Improvements Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$500,000.00 in Developer Private Investment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 903 Resolution providing for the 1988 Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$400,000.00 in Urban Development Action Grant Repayment Funds and Developer Equity Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff for Mr. Pollock presented**

No. 904 Resolution authorizing the City to incur Lease Rental Debt in the amount of \$7,900,000 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1988, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds.

Which was read and referred to the Committee on General Services.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.



**Mr. Ferlo:**

Mr. Chairman, I see no reason to expedite this particular issue. We're talking about over \$7 million that the Administration would like to go out on bond in order to purchase God knows what type of equipment. I think there's time needed to discuss this both in the Committee. As well, I've indicated to the Administration that I would like questions answered regarding this expenditure. Equally, I have a resolution before Council which would repeal the formation of the Equipment Leasing Authority.

For those and many other reasons, I see no reason to expedite this discussion. I think it should take the usual course of time so that we can receive information from the Administration.

**Michelle Madoff:**

Mr. President, as I mentioned to my colleague, I was not present at the last Leasing Authority meeting because I still have this horrible cold that I've had from the draft. Thank God it's warm today. There's no draft today or it's so hot I'm not feeling it. But I was not at the last meeting and I did take the time, though, to find out what happened. When I'm not present at a meeting I'm directly involved in, I want to know what the issues are.

The issues are very simple. Number one, the issue of the radios never came up. Number two, the bond was awarded on the basis of the best proposal made to the people who chose, Mr. Jacoby and Mr. Turner, the Finance people, in the best interest of the City. For example, it was determined that while the firm that was about to be awarded the contract did charge a very slightly higher fee for administration or

their percentage of the contract, the money the City would save because of the structure of the bond --

**The Chair:**

Ms. Madoff, let me interrupt you.

**Michelle Madoff:**

Let me just finish. Two more sentences and I'm done.

**The Chair:**

Please argue about why the bill should be either committed to Rule 8 or not.

**Michelle Madoff:**

I'm trying to.

**The Chair:**

You're going over the whole past meeting and I can't permit that. Why do you want the bill --

**Michelle Madoff:**

In summary, Mr. President, if we wait, it could cost the City a great deal of money because the interest rates are fluctuating. We are ready to go out in what is known as a more favorable market. We got a better deal and every quarter point, every eighth of a percentage on a point means hundreds of thousands of dollars on major bonds, and certainly thousands on this bond. And the sooner we get out, the sooner we take advantage of the best rates and be positioned for a window, the better we are. Therefore, I would urge this Council to vote for this bill. I reviewed it myself personally. I have the same concerns my colleague had and I do not think we should hold the bill.

**The Chair:**

I suggest to vote in favor of waiving Rule 8 also because if you want to discuss it, perhaps we'll have a longer time for discussion. Discuss it this Wednesday and if you want to hold it over for another week, you have more shots at it.

All those in favor? Opposed?

**Mr. Ferlo:**

Opposed.

WHICH MOTION PREVAILED.

**Mr. Wagner presented**

No. 905 Resolution providing for an Agreement with Pittsburgh Steelers Sports, Inc., the Stadium Authority of the City of Pittsburgh and consented to by Pittsburgh Baseball Associates.

Also,

No. 906 Resolution providing for the transfer of union dues of employees of Environmental Services which were held in escrow in Blue Cross/Blue Shield, Index Code 210005, to Interest Earned Payroll Withholding Fund, Index Code 210500, and providing for the payment of the union dues including interest earnings to Environmental Services employees and Local 249 while the City of Pittsburgh held the union dues in escrow. The City Treasurer is authorized to issue and the City Controller to countersign checks made payable to employees of Environmental Services for union dues held in escrow for a total amount of \$53,723.00 that will include interest earnings of \$2,322.12 and also the City Treasurer shall issue and the City Controller shall countersign a check made payable to Local 249 for union dues held in escrow for a total amount of

\$25,839.00 that will include interest earnings of \$250.62, payable from Interest Earnings Payroll Withholding Fund, while the City of Pittsburgh held the union dues in escrow.

Which were read and referred to the Committee on Finance.

Also,

No. 907 Resolution providing for an Agreement or Agreements with the Overbrook Community Council for professional services in connection with their sponsorship of the Carrick High School Band performing in Washington, D.C. on the Fourth of July at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (Index Code 183806), Miscellaneous Services, Department of Parks and Recreation.  
—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

No. 908 Resolution providing for an Agreement with NeighborFair Inc., to provide funding for NeighborFair '88 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office, Index Code 101709.

Also,

No. 909 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money.

Also,

No. 910 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to meet with the Secretary of the Pennsylvania Department of Labor and Industry and officials of the Pennsylvania Service Delivery Area Association, in Harrisburg, PA, June 9, 1988, at a cost not to exceed \$285.00, payable from the JTPA-1 Trust Fund, federal funds. The purpose of this meeting is to discuss solutions to the state and local portions of administrative costs associated with the JTPA program. (PRIOR APPROVAL GRANTED)

Also,

No. 911 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Walter Fortson to attend the JTPA Update Seminar, in Harrisburg, PA, June 16, 1988, at a cost not to exceed \$323.00, payable from the JTPA-1 Trust Fund, federal funds. The purpose of this seminar is to learn about the new JTPA regulations. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 912 Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$18,000.00 from

Code Account PR 87-02, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100.

Also,

No. 913 Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$2,600.00 from Code Account PR 88-02, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100.

Which were read and referred to the Committee on Finance.

Also,

No. 914 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation at a cost not to exceed \$82,000.00, chargeable to and payable from Code Account PR 87-02, 4-10-10-0002-87, Index Code 320911, Resurfacing Park Roads, Department of Parks and Recreation.

Also,

No. 915 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation at a cost not to exceed \$42,400.00, chargeable to and payable from Code Account PR 88-02, 4-10-10-0002-88, Index Code 320929, Resurfacing Park Roads, Department of Parks and Recreation.

Which were read and referred to the Committee on General Services.

Also,

No. 916 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Cindy Buchanan and Joe Rodgers to travel, assist and coordinate the efforts of approximately eighty (80) senior citizens who will be the Pittsburgh Delegation to the Pennsylvania Senior Games at Shippensburg University, in Shippensburg, PA, August 1-6, 1988, at a cost not to exceed \$300.00, payable from Code Account No. 1843. Permission is also requested for use of a City vehicle. Both staff members will be authorized to drive a Special Populations Van.

Also,

No. 917 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Howard Watts, Joy Layton, Charles Struthers, Tracy Baton and Mindy Henning to attend several out-of-city trips to the Laurel Highlands Hiking Trails, in Cambria, Fayette, Somerset and Westmoreland Counties and the Quehanna Trail in Cameron and Clearfield Counties, at no cost to the City of Pittsburgh. Permission is also requested for use of City vehicles and summer rental vehicles.

Which were read and referred to the Committee on Parks and Recreation.

Also,

No. 918 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the Market Value of securities pledged as collateral by City Depositories as of April 29, 1988.

Which was read, received and filed.

#### UNFINISHED BUSINESS

Mr. Coyne:

Mr. President, I'd like to ask that Bill No. 795 be taken off the table to be reconsidered.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 795 A Resolution entitled, "Resolution further amending Resolution No. 390, effective April 30, 1985, as amended by Resolution No. 611, effective September 21, 1986, entitled: 'Providing for an Agreement or Agreements, or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome and Satellite Domes; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$250,000.00 from \$550,000.00 to \$800,000.00."

Which was read.

The Chair:

Okay, so I can explain to everybody, the bill was up last Monday. It was tabled because it lacked five votes. It was, I believe, four in favor and two opposed. Therefore, it was not defeated; it needs five votes to pass Council. Mr. Coyne, it's his Committee, he's re-presenting that bill today in hopes of getting five votes.

Michelle Madoff:

Is it up for discussion now?

**The Chair:**

Yes.

**Michelle Madoff:**

May I address my colleague who introduced the bill?

**The Chair:**

Sure.

**Michelle Madoff:**

Mr. Coyne, are you familiar with the ground preparation for the other two salt domes and the work that was involved?

**Mr. Coyne:**

Councilwoman, I've spoken to Director McDermott this morning and I have spoken extensively about this bill and he has made me aware of all that.

**Michelle Madoff:**

Do you know whether we're going to have extensive site preparation on these next two salt domes?

**Mr. Coyne:**

He told me that as far as he understands, no.

**Michelle Madoff:**

Well, let me tell members of Council and the public, this is exactly the kind of issue that my bill will address. Mr. Specter has been working with Mr. Pellegrini. We spent \$200,000 on each of the past two salt domes. The reason being that we supposedly had some major problems with the site preparation. The question I would need to have answered for me before I can

vote on this bill is why we didn't move the site to a more stable position. Why didn't we do borings to find out whether the site did have a problem before we ran into the overruns. And I call those overruns and overbids.

On the next two salt domes, I have talked to one of the major designers. As a matter of fact, somebody who did some of the drafting on the bill, I'm having lunch with him this week, and he feels if there is no site preparation necessary of inextensive nature, that the \$200,000 is a gross overcharge to the City of Pittsburgh where we could have \$50,000 out of each one of those, a minimum of a \$25,000 additional surplus over those two salt domes which would go to the Hunger Action or anything else this Council would like to give its money to.

This giveaway has got to stop and that's why I supported Mr. Ferlo. I think the cost of those two salt domes is out of line. I need some more time to check on it. I'm talking to the people who designed it and the people building them. Until that is determined, I cannot vote for it.

**Mr. Ferlo:**

Mr. President, I voted no on this particular appropriation at the last minute and I will once again vote no on it. I think it's an outrageous expenditure of \$800,000 to design and construction two or three or four salt domes for several reasons; one, we have these domes presently in place. I can't imagine that there aren't previous designs that have already been paid for. I make the point continually that we have 30 odd staff people in the Department of Engineering and Construction, many of whom are engineers and architects who I feel are more than capable of designing a salt dome which does not take an outrageous amount of expertise in order

to do this. It's an outrageous expenditure; I'm disappointed that this Council would reward this particular department director once again, with an appropriation that is not warranted both for the engineering costs as well as the construction costs and I think it's important that we vote this expenditure down.

I used the phrase at the last meeting, McDermott's Marauders, and Mr. Woods reminded me that it's unfair to make such a comment on a personal level to a department director, so I would not want to make such a statement about this particular department director. But I think it's an expenditure that's unwarranted and certainly we can find better uses for \$800,000 than we have in a giveaway program. And this is, once again, in a long line of giveaways that have plagued this particular Department of Engineering and Construction.

**Michelle Madoff:**

I'd like to move to hold the bill, put it back in Committee.

**The Chair:**

There is a motion on the floor, just one second. We just untabled it; we're not going to hold the bill.

**Michelle Madoff:**

I know. I want to put it back.

**The Chair:**

Wait a minute. I'm running this meeting, Ms. Madoff, and I'll conduct it that way.

**Mr. Coyne:**

Mr. President, I'd like to urge

Council to approve this after speaking with Mr. McDermott this morning and being assured by him that this is in the best interest of the City and that the Department of Public Works also concurs with him. It's something that's needed. It's something that when the sites are prepared, it will be in conjunction with something the Department of Parks and Recreation feels is necessary for one location. I don't think it's anything that's uncalled for; I think it's something we need.

**The Chair:**

Mr. Wagner, last speaker.

**Mr. Wagner:**

Mr. President and members of Council, I'd just like to say, as you can see by this legislation, the financing for it goes back four years, back into the 1985, 1986, 1987 budget, and now 1988 with different dollar allocations coming from all four years. The idea of these salt domes began back in 1985 while I was Chairperson of Engineering and Construction. Since that time, three years ago, it has matured and changed the proposal drastically. The original intent was to build one salt dome in the City and the cost of that I don't recall right now precisely but, since that time, various studies have been done and that has evolved into other proposals and this final proposal is to build four salt domes rather than one. There is a lot of logic behind that and, at the same time, the cost is increased along with it. But the logic behind it is, if you have one large salt dome located somewhere in the City when you have severe weather problems, all of the trucks from Public Works must go from the various neighborhoods great distances to that one salt dome. The theory of four means to place them around the City and therefore save time in terms of the various trucks not having

to travel as far going to a salt dome that is somewhere in the geographical area of the City where they're operating. It saves manhours of people operating those trucks. It keeps the salt trucks out on the streets longer rather than traveling back and forth. It saves fuel and probably, most importantly, it provides a better service to the public where we can salt more streets in less time by having four salt domes rather than one salt dome. That is the major reason for the increase in cost in this proposal since it was originated four years ago when it was originally one salt dome and now its four salt domes.

**The Chair:**

Call the roll on the bill.

**Mr. Ferlo:**

Mr. Chairman, I have an additional point.

**Michelle Madoff:**

I had my hand up.

**The Chair:**

Keep calling the roll.

**Mr. Ferlo:**

Mr. Chairman, I have additional points.

**The Chair:**

Go on with the vote.

**Michelle Madoff:**

I'll abstain so I can explain my abstention. That is the rule.

**The Chair:**

Keep calling the roll.

**Michelle Madoff:**

Excuse me, sir. I've abstained and on an abstention I have the right to explain my abstention.

**The Chair:**

No.

**Michelle Madoff:**

I challenge the Chair on my right to explain my abstention. Will someone support me on that, please?

**The Chair:**

Is there a second to the challenge of the Chair? Hearing no second, the motion fails.

**Michelle Madoff:**

Well I hope everybody watching knows we just gave away \$50,000. That's the issue.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Wagner       |
| Mr. DePasquale | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 5**

**NOES 1**

(MR. FERLO VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Point of Order, Mr. Chairman.

The Chair:

There's no point of order; this Council is in order.

Mr. Ferlo:

I'm not disputing that.

The Chair:

It is in order and there's no point of order.

Mr. Ferlo:

I would like my vote cast as no, if you're not going to recognize me for an additional comment. Thank you.

#### REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 919

Report of the Committee on Finance for June 8, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 832

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of G.A.I. Consultants, Inc. in the amount of \$6,382.57 in payment of a feasibility study relative to the widening of the captioned T-1 Ramp at the Stadium; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 842

A Resolution entitled, "Resolution providing for the issuance of a \$1,039.73 warrant in favor of Norma Kaylor in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 843

A Resolution entitled, "Resolution providing for the issuance of a \$759.00 warrant in favor of Mary L. Connolly in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 844

A Resolution entitled, "Resolution providing for the issuance of a \$1,221.06 warrant in favor of D & P Auto Salvage in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.



**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 7                      NOES none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

**Bill No. 845**

A Resolution entitled, "Resolution amending Resolution No. 202, Item A approved March 19, 1986, which authorized the sale of property in the 4th Ward, being a 2 story, brick house on a 32.29' x avg. 58.04' x 15.91' lot, located at 2526 Rr. 2526 Allequippa Street, designated as Block 11-D, Lot 64 to Albert W. D'Angelo, for the sum of \$2,500.00."

Which was read.

Also,

**Bill No. 846**

A Resolution entitled, "Resolution amending Resolution No. 201, Item A approved March 31, 1988, which authorized the sale of property in the 12th Ward, being a 2-1/2 story, frame house on a 25 x 135.12 lot, located at

6924 Kelly Street, designated as Block and Lot No. 124-M-225."

Which was read.

Also,

**Bill No. 847**

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, we have before us a copy of a memo from Mr. Murphy regarding -- It's relevant to Bill No. 847. It says, "Please rescind Item F of Council Bill 847 for the sale of six lots on Glen Mawr Avenue. The purchaser, Mr. Jack Buncher, Chairman of the Board of Corliss Roadway Corporation, has stated that they do not wish to become involved with a dispute with Council and has asked for the return of his hand money."

I don't know if someone was prepared to make this in the form of an amendment; it is possible. I do want to state that having investigated this issue with the Director of Planning at the County level who is responsible for the Airport master plan, as well as Mr. Lurcott, I had some brief comments but I was not seeking to initiate a dispute with Mr. Buncher and if he was to develop this property I wish him well.

I would like a clarification from the President regarding this memo. Is this to be entertained at this time?

**The Chair:**

If somebody is going to make that motion, it will be entertained. If not, we're going to go along with the bills as presented.

**Mr. Ferlo:**

I make a motion to amend this bill, 847, to repeal Section F at the wishes of the Administration.

**Michelle Madoff:**

Second and discussion. On Bill 84, I called the Buncher Company to try to determine what the problem was. If, indeed, by implication there was some motivation or some appearances of impropriety that the Buncher Company wanted this land, as it was stated here by Mr. Evers, for an entrance and exit. It turns out that it is a very innocent issue. Mr. Evers, trying to do a good job for the City and get rid of properties that we don't need, contacted the Buncher Company and said, "This property abuts your land that you already own; why don't you take it off our hands for \$1100." They said, "Okay, if you want us to take it, we'll take it."

They really don't need it, they don't want it, and they absolutely don't want it now. They've never sought to purchase the property and they want to go on record that they do not want it or need it.

**Mr. DePasquale:**

I just wanted to comment that sadly or otherwise, all the City did here was lose the opportunity to place six worthless lots on the tax rolls. I realize that the Councilpeople who spoke out against it the other day meant well and I think if they would have done a little more homework it wouldn't have

happened, it wouldn't have gotten out of hand, there wouldn't have been a story in the newspaper, that no doubt cause these people to feel that if this is the way the City wants to react to our doing them a favor, in effect, then back off. And that's what they did.

**The Chair:**

All in favor of the amendment?  
Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 851

A Resolution entitled, "Resolution transferring the amount of \$10,000.00 from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council (Index #100115) to Code Account No. 1006, Equipment, City Clerk's Office (Index #100602)." —(SPONSORED BY MR. WOODS)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 453

A Resolution entitled, "Resolution establishing the Hunger Trust Fund of the City of Pittsburgh." —  
(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on Bill 453, the issue of the creation of the Hunger Trust Fund, I would ask support of Council at this time for the creation of the Hunger Trust Fund. It is still a fund that could receive private contributions, contributions from elected officials, and anywhere else. It does not have any legal problems with the creation of the specific fund in City government. So, at this time, I would ask support for the creation of the Hunger Trust Fund established with Bill 453.

**Michelle Madoff:**

Mr. Ferlo, I think we all got a package this morning from the Law Department. Is that correct? It addresses the issue of the check-off, addresses the issue of the bill to assess a larger licensing fee for poker machines or gambling machines, and included in that, did you see another letter from me from 1982? Is the Chair aware of this letter? In 1982, I asked the exact same question that Mr. Ferlo is asking; could we not have a check-off in our tax forms for specific uses for — My issue at that time was a job program. I was told by the Law Department in 1982 that it is illegal to have any check-off on a tax return or to use tax returns for that

purpose. However, I believe that the trust fund, the creation of the trust fund, would provide a vehicle or a line item, actually, whereby people can make contributions for the City to distribute money to the hungry.

You may recall that a number of years ago I had a bill that provided for people to make voluntary contributions to the City of Pittsburgh, the Treasurer's Office, if they wanted to make payment of greater than their \$10 head tax, and if the suburbanites wanted to pay more than their \$10 head tax or commuter fee. We received one time, I think, \$1200 and the second time over \$2000 that went into that fund and, at that time, Mr. Dave Matter referred to it as instead of the commuter tax he called it the laughing tax. It isn't a laughing matter any more than this issue of hunger is a laughing matter, and I think by creating a line item, which I think is what you want to do, anybody can send money to the City to be used.

I wonder whether we ought to reconsider, because I would vote for a line item, I don't have a problem with that, Mr. Ferlo, but is there someone already doing a good job where voluntary contributions could be made to that existing organization and not put a burden on the City to handle those funds until you have clarified the issue of the check-off box or the vending machines to make it of some substantive nature. And then if you do, you need to determine where that money that is collected in the general fund or the line item, which group would get the money and how the distribution would take place.

Those are some unanswered questions that perhaps you can address.

**Mr. Lyons:**

Mr. President and Council, having

read the Solicitor's letter this morning or directive, I quickly thought of the check-off box on our federal income tax where we're allowed to give \$1 to a party affiliation for the President of the United States. That's still a form of tax which is no more than this, and what rule of thumb is used there that we are being denied here?

**Mr. Wagner:**

Mr. President and members of Council, I simply want to state that I support the intent behind this bill, the establishment of the Hunger Trust Fund, but the one section of the bill, Section 2, where it indicates the collection of license fees for video poker game machines, and that issue being in dispute as it is legally, I personally don't think that that one line should be part of the bill at this time. If, at a later time, legally it is determined to be okay, then I think that could be included. But I don't think it should proceed with that in there now.

**Mr. Ferlo:**

Mr. Chairman, in light of Mr. Wagner's, Michelle's and other's comments, and in light of the fact that we recommitted the check-off and we still have discussion and review of some of the content of Section 2, if it would be permissible, and I apologize for not writing this out, and if you want it written we can hold the bill and I will write it out and come back to it, but I would like to make the suggestion, if you would permit this, that in Section 2 we just simply state that the Hunger Trust Fund of the City of Pittsburgh shall hold off funds generated from the collection of various private and public sources, period, and not specifically state, as Mr. Wagner has correctly pointed out, license fees and the check-off, etc. And then we make it a catch-all phrase. At this

time I think it would bring to rest the concerns that have been legitimately raised by Mr. Wagner, Councilman Lyons and Michelle.

**The Chair:**

Does anybody object to the verbal amendment?

**Mr. DePasquale:**

Me.

**Mr. Coyne:**

Mr. President, I support Councilman Ferlo 100 percent on this. As I said before, I do not believe this Council should be making rules and then breaking them at convenience. Councilman, you have my full support on this; I just can't go along with that.

**Mr. Ferlo:**

Two things on point of procedure. I will gladly either recommit this or, if you give me three minutes, I will type up the amendment and we can come right back to it.

**The Chair:**

Jim, we can't do that. We did that before and it got out of hand.

**Mr. Ferlo:**

I move to recommit.

**Michelle Madoff** seconded the motion.

**WHICH MOTION PREVAILED.**

Also,

Bill No. 454

A Resolution entitled, "Resolution

directing the Mayor and the Treasurer of the City of Pittsburgh to amend the Pittsburgh Form 40, Earned Income Tax Return Form, to include a "check-off" box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh." —  
—(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

In regards to Bill 454, I would ask that this bill be recommitted at this time.

Briefly, I think it's important that we ask that the Administration, including the Solicitor, re-evaluate their opinion of this bill in two regards; one, I disagree with the Solicitor's opinion from a legal point of view. He is taking a very strick interpretation of what the power of the Treasurer is in regards to designing the tax form, the Earned Income PGH 40. I think there's a broader interpretation that would be legal. I would ask to allow me time to get an external legal opinion regarding the check-off of the tax form, and also, I think it's important that we have more time. That's the main reason why I'm asking for it to be recommitted.

I do want to point out to my colleagues that for the 1987 returns, as of Friday, there were 5,986 tax refund checks that were mailed out totalling a sum of money of \$670,432. Obviously, we would not get all of that money as some individuals would not choose to make the donation and the check-off. But certainly we could benefit from some percentage of that. It's important enough, and I ask for a recommitment at this time. I make that motion.

**Mr. DePasquale** seconded the motion.

**Michelle Madoff:**

Point of Order.

**The Chair:**

Let me explain something. This Council is not out of order. People misuse point of order.

**Michelle Madoff:**

When you're through voting, I have a point of order.

**The Chair:**

This Council is not out of order, so you can't call it to order.

All in favor of recommitment?  
Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 456

A Resolution entitled, "Resolution directing the Mayor to prepare a year-end State of the Poor Report." —  
(SPONSORED BY MR. FERLO) (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

On Bill 456, regarding the year-end State of the Poor Report. We've had lengthy discussion on this. Council was kind enough to sit through a four-hour public hearing with close to 50 speakers, representatives from organizations as well as constituents who voiced their concern that the State of the Poor Report is in the best interest of the City.

I would ask that Council please

consider supporting this resolution. I think it provides a framework that would yield a document that the Administration as well as Council can use as a benchmark to determine exactly what the state of low income people, individuals and families is in the City of Pittsburgh. I think it would set a framework for the way that government needs to respond positively to try to deal with the problems faced by low-income individuals.

Again, there's a voluntary request to the Administration; there's no legal barrier to this resolution, and I sense a willingness on the part of the Administration to work on what would amount to be a valuable document.

So, at this time, I would ask support from my colleagues on Bill 456.

**Michelle Madoff:**

Am I allowed to speak as a duly elected member of this Council? I'm allowed to speak? I just wanted to be sure.

On Bill 456, Mr. Ferlo, you have asked that it be a request, is that correct, not a mandate? You're not directing; you're requesting.

**Mr. Ferlo:**

Yes.

**Michelle Madoff:**

Therefore, I second it and support you.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 920

Report of the Committee on Public Works for June 8, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 734

A Resolution entitled, "Resolution providing for an Agreement granting to Carnegie Mellon University the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon University in the 4th Ward of the City of Pittsburgh, vicinity of Forbes Street and Margaret Morrison Street."

Which was read.

**Mr. Ferlo:**

This bill has been discussed at length. I would like my comments

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brought forward from the June 1  
Committee Meeting.

**Mr. Wagner:**

Mr. President and members of  
Council, first of all, I'd like my  
comments brought forward from the  
meeting where I believe discussion  
occurred a week and a half ago on this  
issue, on Bill No. 734.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S AND MR. WAGNER'S COMMENTS ON BILL NO. 734 - WEDNESDAY, 6/1/88)

Mr. Ferlo:

The reason why I wanted it held for one week is we haven't received anything in writing from Dr. Cyert of the University in response to the issue including discussion between Mayor Masloff and Dr. Cyert, and discussion I also had with Dr. Cyert and I would like something in writing from the University relative to this issue. I don't see it as an outrageous request given the fact that they would want something from the City and we want something from them. So I wanted to hold it for one week until a written response comes a letter from Dr. Cyert.

Mr. DePasquale:

I think Madoff and Woods put it into perspective and I'm opposed to the hold motion.

Mr. Ferlo:

Recognizing that the motion will not pass, I will withdraw to hold and just have a formal vote but I would like to offer an amendment to the bill.

On the actual bill I'd like to offer the amendment which I distributed a week ago which basically, rather than reading the whole bill again, it's the same bill with the caveat-- "...at the end upon formal adoption by the Board of Trustees of Carnegie Mellon University of a complete divestiture of investments in companies doing business in South Africa." I'd like to offer that as an amendment.

The fact of the matter is that it was a very close vote. The fact of the matter is that it was debate that probably the University Board of Trustees hasn't had in 50 years, and because it was such a close vote, the power now rests in this Chambers with this City Council to tip the balance of scales.

It is very possible and the reason why I wanted to hold it obviously is that I would like to hold it. I would like to agitate and publicly embarrass and chastise and criticize and call to task the President of Carnegie Mellon University and the Board of Trustees. All those other corporate leaders, political officials, judges and other people who sit on that Board of Trustees.



The only power that we have to have a meaningful input or impact on the Board and the University policy is the prerogative and the power of this Council on this specific legislation. We don't have the power because nothing comes to the table. We now have a unique ability, we have an anchor. We have the issue of the City granting a right-of-way over a sewer line for us to take on an important public policy debate with this university.

It is not broadly philosophical in nature, it is fundamental. Why is it that the University--Carnegie Mellon, who recently announced that they want to make investments in a new computer firm owned by the gentleman who owned the Apple Company. Something that's wonderful; I applaud the efforts of the University to donate a few thousand dollars in their holdings for this new computer company. It means jobs, it means economic development activity. Why the heck should the University persist in maintaining a \$16 million portfolio for economic development and oppression in the government of South Africa? It makes no sense whatsoever. Yes, I'm trying to call the University to task. Yes, I'm asking the Council to take to heart the previous legislation which you supported under divestiture, not only dealing with what's happening with the city contracts and city dollars, but we're an advocacy body in addition to being a public policy body and I disagree with my colleagues respectfully because I do think we have the power to publicly condemn and chastise the University and we have the power here to tip the balance of scale on the Board of Trustees.

I believe strongly that if we hold out the next couple of weeks on this bill, Dr. Cyert would have to get on the horn and call together an executive committee of the Board of Trustees and those few Neanderthal corporate leaders who sit on that board that are holding out on this issue I think we can tip the balance of scale, I think we can have an influence with them.

Yes, I'm asking Council to make a moral and a political commitment and obviously I'm asking Council possibly to do something that we don't even have the legal prerogative to do. But 15 years from now when I look at young people I want to feel like I can say honestly that I did everything in my power as a legislator, as an individual, to fight a system that should be wiped off the face of the earth. We have the power to do this.

I think we have to do more than chastise Dr. Cyert and the Board of Trustees. I think we should stand firm in our resolution, vote this bill down and I think very clearly in the next few weeks the University will come back to us with a reconsideration; that's all I'm asking for. Thank you.

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Mr. Wagner:

I'd like to make a brief comment and Mr. Ferlo, the bill is now in your committee; it wasn't originally so you can have the final comment if you wish, but I'd just like to make a brief comment.

I think Council has made a moral and political commitment with divestiture legislation in the past that was spearheaded by Councilman Robinson at the time of which it passed Council unanimously, and so Council from a city perspective has made a commitment, and probably one of the first governmental bodies in the country that made that type of political commitment. This is illegal according to our Solicitor and I can't state that any clearer. We cannot legally proceed with this type of an amendment. However, I think Mr. Ferlo should get a response from CMU and I would hope that prior to final vote on this legislation this Monday that Dr. Cyert would respond in writing to this Council and in particular to Mr. Ferlo.

I also agree with Mr. Woods that simply by making the issue a public issue, a lot has been accomplished and a public awareness is there that was not there in the past.

Mr. Ferlo:

Just in closing I respect Mr. Woods comments and I appreciate the comments made by Michelle.

Again I think it's important that we win on this issue, not just go through the rhetoric and discuss the issue and the philosophy and I think the reason why I wanted to hold the bill is to avoid a legal battle if we don't vote on the bill and what I would encourage Councilmembers now to do is to vote no on the bill. We will not engage in a legal battle, we're just voting no on the bill and at some point in the future we'll give reconsideration of the legislation. So if we vote no on the bill, we still have the ability to come back and approve the right-of-way at some future time when these corporate Neanderthals meet with Dr. Cyert and reconsider the action that they took several weeks ago on the Board of Trustees.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Mr. Ferlo:**

I still maintain my position that City Council should take an affirmative action here and deny this right-of-way for the Carnegie Mellon University. I think it's important to point out that the recent vote of the Board of Trustees regarding the divestiture bill and failure to support divestment from South Africa was an action that was not only despicable and deplorable but morally repugnant. I think it's important in the November meeting of the Board of Trustees that yourself and others who may be members of the Board of Trustees at Carnegie Mellon University call for a public vote on the divestiture issue once again. I wish that my colleagues would join me in making this kind of a firm statement. I discussed at length in the previous meeting the conditions that exist in South Africa. This Council has been on record for many years in support of divestiture; here we have an exact opportunity to make a very formal statement and hold out the permission of granting a right-of-way to CMU until such time that they reconsider their vote.

There doesn't seem to be a majority of support on this body for that action but I once again would call to task and publicly chastise the University for their actions. And I hope that in the future, at the next Board of Trustees meeting, they would reconsider their actions. But I could not, in good conscience, vote to support this right of way for a university that has taken such actions.

**Mr. Lyons:**

Mr. President and Council, I cannot understand why Carnegie Mellon and the Board of Trustees of Carnegie Mellon are so defiant as not to release their holdings in South Africa. I could in no way, or in

good conscience, vote or support this bill. In the first place, I feel anyone who supports the regime of Bota in South Africa is arming them and supporting people to be disenfranchised from voting in any other right. And not only that, we are manufacturing to them through the profits of our investment weapons to annihilate the Blacks of South Africa. Therefore, there would be no way that I could vote for this bill.

Further, I feel that why couldn't we wait, if they're so honest and so interested, until they divest themselves of their holdings and then we give them consideration.

If I'm in order, I'd like to make an amendment.

**The Chair:**

No, you're not in order.

**Mr. Coyne:**

Mr. President, since I wasn't here last week to express my views, I'd like to make it perfectly clear that I, too, am an opponent to apartheid. But I think by going along with Councilman Ferlo's amendment, what we will be doing is setting up a very dangerous precedent. I think that we need to keep government and the educational institutions of this country separated. I think when we get to the point where the government, whether it's local, state or federal, is dictating policies to our educational institutions, you're getting very close to saying, what are we going to start limiting next? What they teach or what they don't teach or having different requirements on what the academic institutions can or cannot do. And I feel that this would be one step in that direction and, because of that, I cannot support the amendment.

**Mr. DePasquale:**

Unequivocally, I think I can say that all Councilmembers are certainly opposed to apartheid, or anti-apartheid. But, as usual, some of our bills get out of hand and discussion gets out of hand. This bill is far from support of apartheid. It has nothing whatsoever to do with apartheid or the situation in South Africa. Here is a university that wants to put up a dormitory over a waterline. Nobody objects to the President of the University; the trustees voted not to divest of their South African holdings. How this could possibly be connected with this waterline or with the dormitory is beyond me.

**Michelle Madoff:**

Mr. President, I certainly concur with what my colleague, Mr. DePasquale, has said. We are all unanimously joined in opposing the horrors that go on in South Africa and the fact that this Council, I think it was my resolution, initiated that we support, we urge the City to enter into getting rid of all interest or doing business with anybody that doesn't support divestiture and doesn't support taking action against apartheid. However, I do want to point out that it is a fact that Dr. Cyert and most of the actual staff or the boardmembers of Carnegie Mellon support our position. They agree with us; they think it's horrible. Dr. Cyert thinks it's horrible. As a matter of fact, the amount of money that we're talking about, I think, is \$16 million which is a very small portion of the budget and dollars allocated to Carnegie Mellon.

The last I heard, both you and Mr. Wagner, were going to make contact with the powers that be at Carnegie Mellon so that they would know our feelings and see if you could voluntarily get them to change their mind. But I

agree with Mr. Coyne, that we cannot do something wrong because somebody else is doing it. Two wrongs don't make a right.

I understand Mr. Ferlo's position; he'd like to use it as leverage to force another vote. But I think in a very responsible leadership way, I believe that you were to meet, Mr. Woods and Mr. Wagner. Did you do that? You said you were going to report at last Wednesday's meeting and I did not hear the results of that. What did they say?

**The Chair:**

I'm going to let you finish and then

**Michelle Madoff:**

Okay, well anyway, if they are going to move to revote on the issue of apartheid, then so be it. I think we've accomplished our mission. If they are not, then it is incumbent upon this body that every month a letter goes out from this Council saying, another month has gone by, this is now July of 1988, this is now August of 1988, September, and we bring to mind that we are not going to close our eyes and our ears and pretend it isn't going on and forget. And as leaders of the community, elected to be leaders of the community, we have a responsibility to speak out. And I think you've done that, Mr. Ferlo, with the support of this Council. But I don't think it's responsible to act as we are, using delaying tactics. I think we'd be more effective taking a stronger stand and getting public support for our position than we are to vote on an issue such as this.

**Mr. Wagner:**

I'd like to say that I spoke with Dr. Cyert last week over the phone. Dr.

Cyert is very sensitive to this issue. You have stated accurately what his feelings are and he indicated that there would be another attempt at a vote within CMU in the future.

I believe, also, that Mr. Ferlo has accomplished something here, even if the bill, his bill, his wishes are not met, in that publicity has been brought to the issue. However, I think it's Council's responsibility to do what Council is capable of doing. Council, as has been discussed over three years ago, was one of the leaders of any municipality in the country under then Councilman Robinson's legislation for the City of Pittsburgh dollars not being invested in South Africa companies.

Therefore, I believe we have done what we can do within the monies under the control of City government. However, I think the project at CMU is very important to all people, including minorities, and that project should move forward. We're talking about a sewer line and building a building, a multi-million dollar project over a City of Pittsburgh sewer. We cannot hold up that economic development because of this issue of which we, in essence, have very little, if not no control over. So, I would suggest that we move forward.

**The Chair:**

I would like to say that I spoke to Dr. Cyert last week; I spoke to him again today as he was leaving, I believe for New York. He guaranteed me there will be another vote; it will be, instead of a written ballot, a public vote and I'm almost sure that it will pass. He's guaranteed me that he will have — He can't guarantee that it will pass but I'm saying that I'm almost sure it will pass and I think Mr. Ferlo and you and Mr. Lyons, I think you accomplished your goal. You brought this to light; it got a

lot of press out of it. I believe that by chastising this university any longer or by holding this piece of legislation up, it's not going to accomplish anything other than what it already accomplished. They not going to vote until they have another meeting one way or the other. There's nothing more that this Council can do other than take the good will, the good doctor and his word that he's going to do it, and I believe he's going to do it and I'll be there.

**Mr. Ferlo:**

Mr. President, I'd like to thank you for your communication to Dr. Cyert and also you've indicated to Council that you will attend the next board of trustees meeting and ask for a public vote on this matter. So, I'd like to thank you for that.

I did want to call attention to both Council and to the public that if you feel sympathetic to this issue, prior to the November board of trustees meeting, I would hope that individual Councilmembers would write to the 40 or 50 odd board of trustee members. I did that a week ago; I think individual letters from this elected body would be supportive as, as well, if there are individuals — an organizations in the community, I hope that you will communicate your concerns to the University. Thank you, Mr. President.

**Michelle Madoff:**

I have a question, Mr. President. This meeting, is it open to the public, the vote?

**The Chair:**

I don't know.

**Michelle Madoff:**

Could you find out for us because it might be productive if this Council were to go down and watch the vote.

**The Chair:**

I think that's exactly what, if I was a boardmember, I would try to avoid having make a show out of something. I'm not saying that facetiously; I would not want to sit on that board if I was one of those members and have the general public come in and raise a lot of hell. I understand what you're saying, but I think we'd be better off following Mr. Ferlo's suggestion, writing some letters to all the board members. In fact, we can do this at Council as a body.

**Michelle Madoff:**

That's a good idea. Is that a motion? I'll second it.

**The Chair:**

I can't make a motion.

**Michelle Madoff:**

I'll make a motion that we write, as a body, to all the board members who would be voting on this apartheid issue.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I was not suggesting that it be an open meeting where the public comes down and descends on Carnegie Mellon. I want to get that clear for the record. All I asked is, is it a public, open meeting. You are a member of that board; is that correct?

**The Chair:**

Right.

**Michelle Madoff:**

Are there people in attendance who can sit as they can in Council and watch? I just wanted to know whether it was an open meeting. But certainly, you've got to give them an opportunity at the next board meeting to change what I think is a grievous wrong by changing their vote. But at the next following meeting, if they did not change, I think it would be incumbent upon Council to go and observe. But I don't know whether it's open; I was just asking.

**Mr. DePasquale:**

I think when you answered Michelle Madoff's question with a yes, you're answering mine. As President of Council you automatically become a member of the trustee board. I know I was and Sophie was and any other President in the past. To tell you the truth, I attended a couple of those meeting and I don't recall if they were public or they weren't public.

**The Chair:**

They're not.

Okay, all in favor of sending that letter? Opposed?

**Mr. Lyons:**

No.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Wagner  
Mr. DePasquale    Mr. Woods  
Michelle Madoff    (Pres't Pro tem)

AYES 5                NOES 2

(MR. FERLO AND MR. LYONS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 921

Report of the Committee on Planning, Housing and Development for June 8, 1988 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 239

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 6 & 7, by changing: From "R4" Multiple-Family Residence; "C3" Commercial; "M1" and "M3" Industrial Districts to "S" Special; "R2-T" Townhouse Residence and "C3" Commercial Districts and "A-1" Commercial/Residential Associated Districts certain properties located in the East Allegheny Community generally bounded by: NORTH CANAL STREET; CEDAR AVENUE; NORTH AVENUE and

VINIAL STREET, 23rd Ward." (AS AMENDED IN COMMITTEE)

Which was read.

**Michelle Madoff:**

Is there something missing on Bill 239? Didn't you add a rider that the bill would not go into effect until —

**The Chair:**

It's Section 2 at the bottom of the next page.

**Michelle Madoff:**

Then we are also voting on that as well. I need to apologize. I did not understand the other day that what you were doing — I thought you wanted to hold the bill until the 31st and then we would vote on whether the zoning would change. You're changing the zoning but the date that it goes into effect is next year; is that correct?

**The Chair:**

I apologize when I'm wrong. I don't have a problem. You did a very good job. I talked to the citizens in that area and I want to commend you on resolving that dispute and I will vote with you.

**Mr. DePasquale:**

I don't mean to get into a running argument with my colleague, Michelle Madoff, but I do believe that you can't explain any vote. If there's any discussion, it must be before the vote.

The reason I say this is that I intend to abstain on this bill and I wanted to explain my abstention before because I don't think it's proper to explain it when you're voting. I said at the meeting on Wednesday that I thought there was

something over there that didn't smell right. I heard some ugly rumors and therefore I vote no at the time. But I will give them the benefit of the doubt this time.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|           |                  |
|-----------|------------------|
| Mr. Coyne | Michelle Madoff  |
| Mr. Ferlo | Mr. Wagner       |
| Mr. Lyons | Mr. Woods        |
|           | (Pres't Pro tem) |

AYES 6                      NOES none

(MR. DEPASQUALE ABSTAINED)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 841

A Resolution entitled, "Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 408 and 1144 of 1982, by Resolution No. 933 of 1983, by Resolution Nos. 102 and 285 of 1984, by Resolution No. 1030 of 1987 and by Resolution No. 219 of 1988 entitled: 'Approving the submission and budget for the 1981 Community Development Block Grant Program,' by changing a line item in the Department of Engineering and Construction from Leslie Recreation Center, EC-82-04, to Step Reconstruction."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff for Mr. Pollock presented**

Bill No. 922

Report of the Committee on General Services for June 8, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 836

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase foam concentrate to be used by the Fire Suppression Division, Bureau of Fire and providing for the payment thereof."



Which was read.

Also,

Bill No. 852

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a micrographic system for the City Clerk's Office and providing for the payment thereof." —(SPONSORED BY MR. WOODS)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 923

Report of the Committee on Public Safety for June 8, 1988 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 807

An Ordinance entitled, "An Ordinance amending Title Five - Traffic, Article III - Towing, Chapter 521 - Scofflaws, Article VII - Parking, Chapter 541 - General Parking Regulations, Chapter 543 - Parking Meters, and Chapter 545 Off-Street Parking by removing the penalty of jail sentence and by imposing on the registered owner of a vehicle the responsibility for any parking violation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 457

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business

Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees, by changing the fee charged for video card game machines."  
—(SPONSORED BY MR. FERLO) (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

Mr. Chairman, based on a communication from the Solicitor regarding Bill 457 where he needs more time to fully offer an opinion, I would ask that this bill be recommitted.

**Mr. DePasquale** seconded the motion.

WHICH MOTION PREVAILED.

**Mr. Coyne** presented

Bill No. 924

Report of the Committee on Engineering and Construction for June 8, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 833

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for the implementation of the Swimming Pool Infrastructure Study; and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 833, the issue of having a consultant or consultants for the implementation of the swimming pool infrastructure means, in layman's language, they want to hire somebody to go out and look at our pool to see what needs to be done.

I have been doing a thorough study and investigation of the Department of Engineering and Construction and the feedback I'm getting, people don't want to put their necks in the guillotine. The general consensus seems to be that they would like to go back to the way it used to be where Parks and Recreation had their own engineering, Public Works had its own engineering and took care of its own issues. In this particular case, once more, we're going to hire a consultant to go look at the pools for \$40,000. I think probably we have in-house capacity of those people who worked in Parks and Recreation were transferred back to Parks and Recreation. If indeed at that time it were determined that they needed a consultant, I might be more favorably disposed. But we've gone to over \$5 million in the last three years in consultants so that the Construction and Engineering Department can have a scapegoat; if anything goes wrong they can say, "I didn't do it, the consultant did it." The City can't afford that luxury. We brought someone to the City who is supposed to be able to administer a program and have the knowledge to do it. I repeat that we have some very serious problems, one of them I will address because I was ruled that I could not abstain an abstention so, at the end of the meeting, I will explain what I was trying to say about a giveaway of the dollars.

**The Chair:**

Is there any further discussion on

the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Wagner       |
| Mr. DePasquale | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 834

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the asbestos abatement program and re-insulating of piping at various City-owned facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 835

A Resolution entitled, "Resolution further amending Resolution No. 274, effective March 29, 1985, as amended by Resolution No. 390, effective May 13, 1986, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants in connection with asbestos and

environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$20,000.00 from \$70,000.00 to \$90,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

The Chair:

I'm just going to be very brief. I want you to notice that we did take care of the draft.

Michelle Madoff:

I wanted to thank you for that; I'm not in the draft. I will buy you lunch at the best restaurant in town. I'm tired of being sick. That isn't your restaurant, is it? The best restaurant in town? The Hyeholde; is that okay?

I wanted to point out that there seems to be some misunderstanding. Mr. Coyne and I just talked for a couple of minutes. I was not here this morning because of my cold; I was trying to get some rest and I didn't want to miss the meeting.

What I am saying is that I agree with Mr. Wagner. Yes, we should have four salt domes. That's not the issue. Yes, they should be where people can get to them easier in the same way that Mr. Wagner introduced the concept of having gasoline available so that we don't waste time with our trucks. But the issue is the \$200,000. Those two initial domes cost \$200,000; I think they're overpriced. The reason they're overpriced is that they needed extensive site preparation.

My questions is, and I don't know the answer to it yet, could they have gone on another site, and are we going to have the same kind of site preparation on the new ones? I was told they're not. Therefore, \$800,000 is not the figure and if \$800,000 is not what we should be paying, and I have one of the people who worked on those domes ready to meet with me and with you, you're invited to lunch, Mr. Coyne, to tell you that face to face, we're talking about the City taxpayers' dollars being, I'm trying to do it in a ladylike way, a giveaway. It's like taking an ad in the paper saying "come and get us; we've got \$200,000 for a salt dome". I'm telling you that if they could have put it somewhere else, on another piece of land nearby, if they had done the proper drillings, borings, to find out whether the land was unstable, they bidded out to more people. The cost of domes can come in on that size, I looked at the structure of the size, could come in anywhere from \$125,000 to \$150,000, not \$200,000. I have a concern that the last two salt domes are going to be \$50,000 over what we can get them done

for in a community that needs jobs. That's \$100,000. The first two were \$25,000 over, which would be \$150,000.

But let's say I'm off-base and we only save \$50,000. Wouldn't you like to save \$50,000, Mr. Coyne, to give to some other needy cause? I know you would. And I want to share this information. I'm sorry we couldn't meet before but I do my homework and what I'm telling you is fact and it's going to be substantiated and I didn't want you to be publicly embarrassed.

**Mr. Coyne:**

Thank you very much.

**Mr. Lyons:**

Mr. President, while we're talking about an \$800,000 figure up front, if we look at it — Let's take a hindsight here. It will be accessible in the four areas to save the City a lot of money. It proved, when they were putting up the gasoline stations in different places how much money that would return. Millions of dollars a year because the Police and the people that need gas wouldn't be an hour and a half from their site and the same thing here. I feel we would spend less gas by going to a place that is close to the area and the people wouldn't be out of work going from one long place to another place, as Councilman Wagner pointed out. I see an overall picture that it will be a big savings to the City and the taxpayers of Pittsburgh.

**Michelle Madoff:**

I was suggesting, Mr. President — What is the issue? The issue, we all agree. We're just saying it shouldn't cost as much.

**Mr. Coyne:**

I'd like to point out that the line items in the State budget this year for the hemophiliac care needs to be increased from \$1.3 million, which it was last year, to \$2.8 million in 1989. The need for this increase is because the blood factor product, which is called Factor 8, which hemophiliacs need to clot their blood, needs to have new testing on it for AIDS and to make sure it's hepatitis free.

The treatment that had gone from 5 cents a unit is now up to 65 cents a unit, which is making it highly improbable that a lot of people who have hemophilia are able to afford it, especially those who cannot get third party insurance because of their condition or because of their inability to work. Fortunately, due to the efforts by the Western Pennsylvania Hemophiliac Society and by Representative Ivan Itkin, Governor Casey has agreed to increase the cost the State will pay into this program by \$1 million. But that still falls half a million dollars short of what is needed to maintain the same level of care for hemophiliac programs throughout the State. The Pittsburgh center alone, which is located in Oakland, would lose \$100,000.

So, I would like to ask Council to send a letter to the Governor and also to the Secretary of Health, Dr. Mark Richards, encouraging the Governor to allot the extra half million dollars so that the hemophilia program is able to be maintained at its current status.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President and members of

Council, I'd like to share a letter with you that I've sent today. The letter is in regard to the Koppers Company and this letter here is one of several that have gone back and forth between myself and Mr. Peter Cohen.

"Mr. Peter A. Cohen  
Chairman and Chief Executive Officer  
Shearson Lehman Hutton  
American Express Tower  
World Financial Center  
New York, NY 10285-1900

Dear Mr. Cohen,

Now that Beazer PLC has been successful in acquiring the Koppers Company, I would like to focus attention on what has been my number one priority throughout this ordeal - keeping jobs in the City of Pittsburgh.

In our previous correspondence one common theme was recurring, doing what was best for the people of this region. You, personally have cited Shearson Lehman Hutton's commitment to the Commonwealth of Pennsylvania: employees, offices, charitable, civic and educational contributions, equity underwritings for Pennsylvania - based companies and underwritings for State and Municipal Governments. That commitment is something I would like you to expand on.

As I'm sure you are aware, it is Beazer PLC's intention to sell the Chemicals Division of the Koppers Company. Brian Beazer has given the present Koppers Chemical Division employees 45 days in which to make an offer to buy this Division. For the City of Pittsburgh the salvation of the Chemicals Division of Koppers is crucial because 1,100 jobs are at stake.

I would like to request from you, as the Chairman and Chief Executive

Officer of Shearson Lehman Hutton, any and all assistance to the City of Pittsburgh and the employees of Koppers in assuring a successful purchase of the Chemicals Division. To be more precise, if the Management/Employee Group falls short in obtaining the proper funding to complete the deal, I would like Shearson Lehman Hutton to be an equity partner. In doing so you would play a similar financial role as in the Beazer takeover. In addition a commitment to provide the expertise that you and your company can offer would be invaluable in the effort to keep 1,100 jobs in the region.

Let me go one step further. While a buyout of the Koppers Chemical Division by the employees is most desirable and would virtually assure the jobs remaining here, failure of an employee buyout should not preclude those jobs remaining in Pittsburgh. If an employee buyout is not viable, I would ask you to use your resources to find an alternative buyer that would be willing to keep the 1,100 jobs here.

Mr. Cohen, no elected official was more outspoken on your company's role in the acquisition of the Koppers Company by Beazer PLC, than I. However, I believe in leaving the past in the past and moving on to the next task at hand. For me that is doing all in my power to keep the economic climate of my City stable and neutralizing any future unemployment.

I must believe that Shearson Lehman Hutton is not insensitive to this concern and is willing to assist in this endeavor.

Time is of the utmost importance in this matter. Therefore, I know you will respond promptly to this call for assistance. I look forward to hearing from you."

In summary, I simply want to say since the takeover has occurred and the issue is not in the media and in the forefront, the days are going by and its not 45 days; we're already down to about 37 or 38 days remaining for the employee management group at Koppers to buy out the chemical division. It's a big sum of money; it's \$400 million, and Shearson Lehman Hutton is an extremely wealthy company, investment banking company. If they can assist a foreign concern, Beazer, to buy out an American company, I think they should assist the management employees of Koppers to buy out the chemical division. They are certainly capable of doing it and I am hoping that they will put their best step forward and do it.

**Michelle Madoff:**

I commend my colleague for writing the letter; it is a well-written letter and I think his sentiments are in the right place. I think it also might be prudent, and I make it in the form of a motion, to write a letter to the President of Koppers asking him to please brief us as to what is the status of the leverage buyout before too much more time has expired.

I know that Tom Foerster has done an outstanding job; he's taken a leading role in trying to raise money. I have contacts with Koppers; you know, I did speak with Brian Beazer. As a matter of fact, I thought Mr. Wagner was holding a meeting here with Koppers personnel and I invited Mr. Beazer to be here. As you know, he met with the Administration that day.

My understanding is that there is an agreement that is very close, and they need more than 45 days. It would be in Mr. Beazer's best interest to extend the time and I believe that will happen. But we don't have any idea of what is

transpiring. Other inside information is inside but I think it's common knowledge, and I think Mr. Beazer said that when he came to the briefing and the press conference, that he hasn't heard that the leverage buyout by management had a great deal of search and looking for the dollars and it seemed to be close to fruition. I hear that from one source and from another source I hear that there's some real problems. I don't think we can wait the 45 days to find out whether they need a little extra time; I think we should be briefed as soon as possible to see whether there's anything the City can do with leverage with the banks we do business with. This is not a bankrupt concern. Koppers is not a firm that needs an affusion of dollars in order to make a profit. It is anticipated that they are probably going to make at least a 15 percent increase profit this year over last year. It is a matter of getting the banking world to put some money up. Certainly with the kind of money in our budget at the end of the year that goes through the banks we have some leverage. And we shouldn't be waiting until the 37 additional days have expired.

I would make it in the form of a motion that this Council invite Koppers' President, Mr. Tenley, to come and meet with Council - he was going to do it anyway; he's willing to do it - and see what we can do to help. If you would do that, I would make it in the form of a motion. Will somebody second it?

**Mr. Ferlo** seconded the motion.

**Michelle Madoff:**

Would you set that up so we can be briefed or set up a meeting there where a representative of this Council can go and be briefed. I don't care if it's Mr. Wagner or yourself.

**The Chair:**

I have no problem with that but I know the Administration and the Mayor are working very diligently and very hard and I would not want this Council to, not intentionally, I know that, to try to undermine anything that they are doing. I will speak to the Mayor and I have no problem and I think we should be informed. I will speak to the Mayor and I have no problem with that.

**Mr. Ferlo:**

Mr. Chairman, on another subject, very briefly because the hour is late. I was to introduce a resolution today transferring the aggregate amount of \$500,000 from various code accounts in our City budget to the Hunger Trust Fund.

In regards to this resolution that I was going to submit, but I obviously withdrew it and did not submit it today, the Administration contacted me, specifically Mr. Turner, and I had a brief discussion with Mr. Jacoby. I believe it's the opinion of the Administration that they must come forward in support of a sum of money in relation to supporting the food pantries.

I withdrew the resolution, did not submit it today, to allow them an opportunity, I believe, tomorrow to make some type of public pronouncement regarding their support for the Hunger Trust Fund.

So, at this time, I wanted to explain why I was not submitting that resolution and why I'm allowing the Administration to come forward and a take some action regarding financial support for the City's food pantries. I'm just explaining my actions regarding with withdraw of the resolution. Thank you.

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**Mr. Lyons** moved to excuse **Mr. Pollock** for absence from the meeting.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to approve the Minutes of Tuesday, May 31, 1988.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, June 20, 1988

No. 24

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, June 20, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. DePasquale presents

No. 961 WHEREAS, under the sponsorship of the Polish Hill Civic Association, the first organized KIDSWATCH PROGRAM in Pennsylvania was formed, and

WHEREAS, under the direction of Toni Dobies, Director, the children of Polish Hill are learning the heritage and value of their community, and

WHEREAS, these children ranging from grade school to high school ages are contributing and volunteering time, by watching out and protecting their neighborhood, assisting the senior citizens and attending regular meetings of KIDSWATCH, and

WHEREAS, help has been given by Ann Davis, Sponsor, Polish Hill Civic Association, Father John Jendzura of Immaculate Heart of Mary Church, Director Glenn Cannon and Officer Spruill of the Public Safety Department and Cheryl Barry, making it possible for these children to become responsible members of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby supports and commends the KIDSWATCH PROGRAM on their continued effort in serving their community and for setting the example for the youths of other Pittsburgh communities to engage in this effort.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

If I may, would Ann Davis and the other people who are with her, Father Jendzura, I see, come up here please?

I would like Ann and Father Jendzura to say a few words but I'm going to pull rank on both of them and say a few words first.

This, I understand, is the first program of its type in the United States and we have to commend Ann Davis and Father Jendzura, Toni Dobies, and everybody else who was connected with this KIDSWATCH PROGRAM and this great effort on their part to do something about the crime and the problems that are in the Polish Hill area. We hope that it extends throughout the City of Pittsburgh as the regular Nightwatch or Peoplewatch Program that Councilman Wagner was so closely connected with and worked so hard with. I hope to continue to do the same as he did in the past and work with those people in regards to their parade and what have you, and the Watch Night and so on.

So, without further ado, I'll ask Ann Davis and Father Jendzura and Toni Dobies to say a few words.

**Ms. Davis:**

Just a couple little notes, dear Councilmembers, my lady and my gentlemen. We are here to honor and praise our children, the KIDSWATCH organization which, incidentally, is a first of its kind in the country which the

Councilman already said. We are putting a lot of effort and emphasis in teaching the children how to love one another, how to help one another, that the community belongs to them, to say no to dope, to alcohol, to burglary, so we can rid ourselves of the no-no's that we don't want in our community. I'm sure everybody else feels the same.

These children which total 60, are eyes and ears of the community. We are also emphasizing that there are no stoolies because the good kids will tell us what's going on in the community so they're called stoolies. Well we feel that they are not stoolies; they're only truthful and honest boys and girls in the community and I hope we can do that in every community in the City of Pittsburgh.

I want to thank all of you, all the Councilmen and Councilwomen for giving us this privilege and this honor and Councilman DePasquale and also Otis Lyons for promoting this for us. Also, Jack Wagner; he's been with us for a long, long time and has helped us through the years. So thank all of you for the kids.

**Father Jendzura:**

Good morning and a pleasant day to all of you. I want to thank the Councilmen and women for their graciousness in promoting this great cause. It shows an interest in the children who are to be the citizens of tomorrow, who may replace you tomorrow, and working for a good cause, promoting peace, promoting justice and promoting love. So, I want to thank you also again for your graciousness and may God bless you for your wonderful cooperation. Good health to you.

**Ms. Dobies:**

I would like to take this opportunity to thank Mr. Depasquale for his efforts in sponsoring this legislation, to Mr. Wagner who has been so gracious to our program while he was committee head of Public Safety, and to Mr. Lyons for supporting our program, as well as the rest of the Councilmembers.

I would also like to publicly thank Mr. Cannon and the Public Safety Department, in particular, Officer Gus Spruill, Sergeant McFadden, and the crime prevention unit and every police officer in our zone who has helped to make our unique program such an overwhelming success.

A special thank you to our community, especially our youngsters' parents who have believed as strongly as I do that we must teach our children to be aware of their environment in order to be safe.

Last, but certainly not least, a thank you to our 60 strong youngsters who took that phrase, "peer pressure", and used it to their advantage, for the primary ingredient in the KIDSWATCH has been positive peer pressure.

May I extend, also, again, a special thank you to every Councilmember here for helping to preserve an endangered species called our children and protecting our most abundant national resource, again, our children.

On behalf of the KIDSWATCH and our community, thank you.

**Officer Spruill:**

I would like to thank Council for working with me down through the years. You know, I've been around a long time, and I appreciate your help in the

past and I appreciate your help now. This is the result of our working together in the City of Pittsburgh to accomplish something like this. Again, thank you and God bless you.

**Mr. Wagner:**

I'd just like to say, first of all, I'd like to compliment my colleague for presenting the resolution, but all the people standing there is a great example of the cooperation within a community in the Polish Hill community. We have the church, we have the community organization, we have the Pittsburgh Police Bureau and the Public Safety Department, and we have all the people from Polish Hill and particularly the children. And if we can get that type of coordination in other neighborhoods in the City with a KIDSWATCH program which is an outgrowth of the BLOCKWATCH, or the BLOCKWATCH is the adults and the KIDSWATCH is the kids, if we can get that to happen in the other 87 neighborhoods in the City of Pittsburgh, that would be a tremendous compliment to all of you that initiated this program. Thank you.

**Mr. Ferlo presents**

No. 962 WHEREAS, the Peabody High School Writing Workshop (PHS WW) is a program affiliated with the Western Pennsylvania Writing Project and the National Writing Project; and

WHEREAS, the goal of the National Writing Project is to improve student writing by encouraging students and teachers to share and publish their writing; and

WHEREAS, the PHS WW is comprised of approximately 30 Peabody High School students; and

WHEREAS, The PHS WW has

produced the premier edition of *Beyond*, a publication featuring independent writings and representative art work from students;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the following Peabody High School students for their participation in the Writing Workshop: Keisha Abraham, Heather Akanbi, Mik Anderson, Rachel Bryant, Tice Cowles, Sachi Cunningham, Tim Dawson, Colleen Delany, Melissa Furrer, Alan Goldstein, Jonathan Kline, Daryl Kuczynski, Greg Levine, Amy Levy, Alisha Patete, David Raikow, Julie Ricketts, Raya Salter, Ben Shannon, Bill Shannon, Emil Sauer, Saba Sile, Helen Sile, Chuck Staresinic, Claire Suplee, Mike Thompson, Brian Wilson, Lisa Young, and Wendy Zeigler; and

BE IT FURTHER RESOLVED, that Ms. Pamela Johnson, teacher of English at Peabody High School be commended for her leadership in bringing this project to Pittsburgh in the worthwhile effort to broaden her students' communication skills, thereby broadening their horizons.

Mr. Ferlo moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you for allowing me to misread some of those names of the students.

This is the document that was produced. As you can see, it's a very beautiful document containing a lot of poetry and prose and some narrative writing.

At this time, I'd like to ask for a few words, maybe from one of the

students, and also Ms. Pamela Johnson, who helped to coordinate this whole project.

**Mik Anderson:**

I'd like to thank City Council for recognizing the hard work put to us by our Writing Workshop. And I'd like to thank you, once again, for this proclamation; it means a lot to us.

**Ms. Johnson:**

I'd like to extend my appreciation to the Councilmen and women for giving us this opportunity to be recognized for all of the hard work and the creative talent. I'd like to thank Jim Ferlo for his support, his personal support, in making this publication a possibility for us. We're really grateful that the arts and young artists have been given this kind of support from the City of Pittsburgh. Thank you, very much.

**Mr. DePasquale:**

Besides offering congratulations, I'd just like to know, are these name changes official?

**Michelle Madoff and Mr. Pollock present**

No. 963 WHEREAS, on Sunday, 26 June 1988, approximately 200 Soviet citizens and a like number of Americans will be visiting Pittsburgh as part of a month-long trek for peace across the States. They will arrive late afternoon from Philadelphia to camp overnight at the Schenley Park Overlook; and

WHEREAS, this walk is sponsored by the INTERNATIONAL PEACEWALK, which is one of the largest citizens diplomacy groups in the United States; and

WHEREAS, the purpose of that

walk, and this 1988 venture is to promote peaceful co-existence between the two super-powers; and

WHEREAS, citizen diplomacy has been recognized as an important element of international relations and participants in these projects seek better understanding, mutual problem-solving and an end to the threat of nuclear war; and

WHEREAS, the American and Soviet walkers will include a broad cross-section of ages, races and occupations with over 21 states and with all 15 Soviet republics.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the INTERNATIONAL PEACEWALK and its citizen diplomacy person-to-person contacts.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Ms. Beatty:

In show business they say it's good to be last on the bill, but you lose your audience in City Council. So, next time, first up, Michelle.

Thank you. I appreciate this motion from City Council. Last summer, I was in Moscow to do a documentary on the Soviet American Peacewalk which was the offspring of the Great American Peace March which came through Pittsburgh in 1986. It was very gratifying to me to encounter people who had spent time in Pittsburgh in '86 and had fond memories of the good

hospitality that they received here in our City.

This walk, the American Soviet Peacewalk is the counterpart of the march from last year. I saw first hand as did our President in his recent experiences in Moscow at the Summit, that the Soviet people have a great deal in common on a day to day basis and in what we all want in our lives and for the future of our children and the world. It's gratifying to know that the City supports this event which is coming Sunday, and we also hope that the people of Pittsburgh will avail themselves of this opportunity to come out to Schenley Park Overlook on Sunday evening and exchange conversation and perhaps some picnicking with our Soviet guests. I certainly hope that City Council will avail themselves of the opportunity to come out during the official welcoming ceremonies from the stage from 7 to 7:30.

Two special acknowledgements; three really. I want to thank Councilman Mark Pollock for his attendance at a couple of our ad hoc committee meetings. He gave us good advice and good support. Also, the Citiparks Southern Division, Vince Hurley, who secured the permits for the encampment and was real supportive and discovered a peace pole which had been given to the top 50 cities in the States. It had been supported by our late Mayor, Richard Caliguiri, and when he discovered this, we also agreed that Sunday night was an appropriate day to officially install the peace pole which has greetings, slogans for peace, in Russian, English, Spanish and Japanese. So, that will happen on Sunday as well.

But thanks very much for the resolution. Thanks to Michelle Madoff for sponsoring it, and hope to see you on Sunday. Thank you.

**Mr. Coyne presented**

No. 929 Resolution amending Resolution No. 494, effective 6/30/87, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for professional geotechnical services on an "as-needed" basis; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements, by naming the Consultant, and by increasing the total project allocation by \$46,300.00 from \$50,000.00 to \$96,300.00, chargeable to and payable from Code Account EC 87-16 - \$50,000.00 and Code Account EC 88-29 - \$46,300.00.

Also,

No. 930 Resolution amending Resolution No. 369, effective May 31, 1988, entitled: "Providing for Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playgrounds and Parks, including but not limited to Gardner, Frick Park and Lincoln Place; and providing for the payment of the cost thereof," by including McBride Courts and by increasing the total project allocation by \$125,000.00 from \$100,000.00 to \$225,000.00, chargeable to and payable from Code Account EC 88-40.

Also,

No. 931 Resolution amending Resolution No. 370, effective May 31, 1988, entitled "Providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Rehabilitation to the Aviary; and providing for the payment of the cost thereof," by increasing the total project allocation by \$30,000.00 from \$20,000.00 to \$50,000.00, chargeable to and payable from Code Account EC 88-34.

Also,

No. 932 Resolution providing for a Contract or Contracts, or use of existing Contracts for Repair of Various Sidewalks, including but not limited to Spring Garden Playground at a cost not to exceed \$14,433.38, chargeable to and payable from the 1980 CDLB.

Also,

No. 933 Resolution providing for a Contract or Contracts, or use of existing Contracts for Structural Renovation of Phipps Conservatory at a cost not to exceed \$1,127,500.00, chargeable to and payable from Code Account EC 86-37 - \$507,500.00 and Code Account EC 87-20 - \$620,000.00; total \$1,127,500.00.

Also,

No. 934 Resolution providing for the acceptance of the dedication of a public sewer easement by the Landmarks Real Estate Corporation, in part of its property designated as Block 4D, Lots No. 45, 100, 130 and 250, situated in the 17th Ward of the City of Pittsburgh.

Also,

No. 935 Resolution amending Resolution No. 954, effective December 11, 1987, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Architectural Services in connection with the design of the New Master Plan at the Pittsburgh Zoo; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements, by naming the Consultant and by increasing the total project allocation by \$40,098.22 from \$75,000.00 to \$115,098.22.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 936 Resolution providing for the issuance of a warrant in favor of The Arnold Corporation, P.O. Box 92798-C, Cleveland, Ohio 44191, in the amount of \$3,307.47 in payment for the purchase of traffic complaints and summons books, chargeable to and payable from the Department of Public Safety, Bureau of Police, Code Account No.1449.

Which was read and referred to the Committee on Finance.

Also,

No. 937 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Air Bag Systems for the Bureau of Emergency Medical Services at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1423, Bureau of Emergency Medical Services, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Also,

No. 938 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Police Officer John M. Daniel, Bureau of Police, to attend a seminar entitled: "Officer in Trouble", at the Omni Shoreham Hotel, in Washington, D.C., from July 17-20, 1988, at a cost not to exceed \$916.00, payable from Code Account PSTA, Bureau of Police, Department of Public Safety. Topics to be discussed are as follows: Understanding the nature and scope of law enforcement career pressures; early recognition of serious personal problems; effective confrontation of the "troubled" officer and how to make appropriate referrals for help and how to develop,

initiate or improve your Officer Assistance Program (OAP).  
(PRIOR APPROVAL GRANTED)

Also,

No. 939 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Firefighter Instructors William Trempus and Charles Lewis, Bureau of Fire, Department of Public Safety, to attend a pilot course at the National Fire Academy from June 24-26, 1988, in Emmitsburg, Maryland, at a cost not to exceed \$90.00, payable from Code Account PSTA, Department of Public Safety. The pilot offering is entitled: "Incident Command System". This course is designed to meet the needs of fire officers and managers with responsibilities to use, deploy, implement and/or function within a departmental Incident Command System.  
(PRIOR APPROVAL GRANTED)

Also,

No. 940 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Frank Henry, Bureau of Fire, Department of Public Safety, to attend a workshop at the National Fire Academy from June 19-24, 1988, in Emmitsburg, Maryland, at a cost not to exceed \$160.00, payable from Code Account PSTA, Department of Public Safety. The courses are entitled: "Firefighter Safety and Survival: The Company Officer's Responsibility and "Firefighter Health and Safety: Program Implementation and Management". The purpose of attend this workshop is to help educate our officers who in turn will develop a training program for the upcoming officers in the Bureau of Fire. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 941 Resolution amending Resolution No. 530, approved July 9, 1987, effective date July 13, 1987, entitled Off-Street Parking Area.

Also,

No. 942 Resolution granting unto Carl Kohlman, College Inn, 5851 Ellsworth Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an outdoor cafe on a portion of the sidewalk of College Avenue in the 7th Ward of the City of Pittsburgh.

Also,

No. 943 Resolution granting unto Thomas and Bonnie Heidkamp, 2298 Valera Avenue their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a driveway over a portion of the right of way of Ravilla Avenue in the 29th Ward of the City of Pittsburgh.

Also,

No. 944 Resolution vacating an Unnamed Way from Bothwell Street to the southeasterly line of an Unnamed Way in the 26th Ward of the City of Pittsburgh.

Also,

No. 945 Resolution vacating an Unnamed Way between Milroy Street and a 30-Foot Unnamed Way 203.95-Feet northwardly and also the easterly portion of a 20-Foot Unnamed Way beginning at a point 62.91-Feet east of Bothwell

Street to its easterly terminus in the 26th Ward of the City of Pittsburgh.

Also,

No. 946 Resolution vacating a portion of Wilbur Way from Georgia Avenue to 75.19-Feet west in the 30th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 947 Resolution transferring the sum of \$200,000.00 from Code Account 53-1 Debt Service Debt Service - Stadium Authority of Pittsburgh to JTPA-1 Trust Fund, Federal Funds (Index Code 260307). —(SPONSORED BY MR. LYONS)

Also,

No. 948 Resolution providing for an Agreement or Agreements with the Pittsburgh Public School District and/or other private for profit and non-profit entities to provide City of Pittsburgh JTPA eligible youth with employment opportunities, work experience, labor market orientation, on-the-job training and/or classroom training in connection with the Pittsburgh Partnership Employment Program at a cost not to exceed \$200,000.00, chargeable to and payable from the JTPA-1 Trust Fund, Federal Funds (Index Code 260307). —(SPONSORED BY MR. LYONS)

Which were read and referred to the Committee on Finance.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.



Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 949 Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198, effective March 13, 1987; Resolution No. 584, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987, entitled: "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program", so as to add a line item in the Department of Engineering and Construction, and increasing the overall Grant total from \$16,843,000.00 to \$16,848,000.00.

Also, -

No. 950 Resolution providing for the filing of an application or applications for financial assistance by the City of Pittsburgh with the Pennsylvania Department of Commerce, Commonwealth of Pennsylvania. The City will seek grants for site improvements related to the expanded program at the Buhl Center for Science and Technology.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article Five, Regulations Applicable to All Districts, Chapter 993, Exceptions, Section 993.01(a)(3) by adding, final recommendation shall require at least

five affirmative votes of the appointed Commission members.

Which was read.

Michelle Madoff:

Point of Order. That was supposed to be introduced as a floor motion because it's only the will of Council. We can't force this; you need an Enabling Act from the State and what we want to do is ask for an Enabling Act and I have the bill ready to ask for it.

Mr. Perry:

I understood it was supposed to be an ordinance, Michelle.

Michelle Madoff:

It can't be. It's only the will of Council to try to get an Enabling Act out of Harrisburg.

Mr. Perry:

We can make it a read and adopted

Michelle Madoff:

Why don't I do it later? I was going to do it later.

The Chair:

Alright, the introduction of that paper will be disregarded. We'll bring it up at the end of the meeting.

Mr. Wagner presented

No. 951 Resolution providing for the transfer of \$225,000.00 from Code Account 57-1 Index Code 005710, Retirement Severance Pay-Sick Leave to Code Account 30, Index Code 003004, Refunds-All Other Taxes. This proposed

transfer is necessary so that sufficient funds are available to issue business tax refunds and PGH-40 refunds for the remainder of the year.

Also,

No. 952 Communication from James W. Turner, Director, Department of Finance requesting authorization for Robert Yakich to attend a seminar at the University of Pittsburgh entitled, "Successful Collection Techniques" on July 11, 1988, at a cost not to exceed \$295.00, payable from Code Account 1063. This seminar should prove extremely valuable to Mr. Yakich in his position of Accounts Payable Supervisor, as his primary responsibility is collection of unpaid tax revenues.

Also,

No. 953 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting authorization for Barbara A. Brown to attend the Private Industry Council Phil-a-Job recruitment show in Philadelphia, PA, on June 15, 1988, at a cost not to exceed \$334.00, payable from the JTPA-1 Trust Fund. The purpose of the show focuses on the importance of staying in school and the value of Phil-a-Job as preparation for the "real world" of work.

Also,

No. 954 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting authorization for Dave Farley, to attend the regular meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA, on July 21, 1988, at a cost to exceed \$315.00, payable from the JTPA-1 Trust Fund. The purpose of the meeting is to conduct regular business of the Association and

to elect officers for 1988-89.

Which were severally read and referred to the Committee on Finance.

#### **The Chair (Pro tem) presented**

No. 955 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Donnamarie Matejko to attend the Society of Broadcast Engineers National Convention and Broadcast Engineering Conference in Denver, Colorado, from September 21-25, 1988, at a cost not to exceed \$994.00, payable from the Community Communications Trust Fund. The purpose of sending Ms. Matejko to this conference is to update her engineering knowledge and skills as it relates to her duties with the Cable Bureau.

Which was read and referred to the Committee on Public Works.

Also,

No. 956 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the current status of the City's Summer Youth Program and the proposal of the Pittsburgh Youth Movement for Jobs. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which was read, received and filed.

#### **UNFINISHED BUSINESS**

##### **Mr. Ferlo:**

Mr. President, if it's appropriate under Unfinished Business, we're now approaching the third week in June and in previous meetings and actions of this Council relative to the issue of the workers' compensation contract, it's my

belief that the first part of June the Administration was to come back with a report. I believe that's Unfinished Business. I'd like to know what the status is of that.

Secondly, we had set the first week of June as the time that we would allow the Administration to formally communicate to Council regarding their intentions of the Troy Hill Fire Station. We're now approaching June 20th and we've not heard from the Administration on these two important matters and I'd like to know what the pleasure of the President is regarding these two important issues.

**The Chair:**

On both matters, Mr. Ferlo, I will see Mayor Masloff. I'll try to call her as soon as this meeting is over, and have something for you, for Council, before the week is out, or what direction, if we have to have a meeting. But definitely by next Monday I will find something out. If I find it out quicker, I'll relay it and call a special meeting of Council.

**Mr. Ferlo:**

Thank you, Mr. Woods.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

**Bill No. 957**

Report of the Committee on Finance for June 15, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 871**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Burtt, Seman and Hamilton in the amount of \$250.00 for consulting services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof." —(SPONSORED BY MICHELLE MADOFF)

Which was read.

**Michelle Madoff:**

I'd like to address Bill No. 871. I think it would be in order to carry a sentence when any Councilmember transfers money from their own allocations to you for payment that it is so indicated on the bill so that anyone listening doesn't think that someone had extra monies. This is the way we pay our consultants and I've transferred \$250 from my stipend to Mr. Perry. It would be helpful if it said, "Transferred from Councilmember" because this comes up from time to time for various members of Council.

Also,

**Bill No. 872**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Henry, Buchanan, Mick & English, P.A., in the amount of \$1,525.00 in payment for legal services furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, and repealing Resolution No. 338 of 1987."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 873

A Resolution entitled, "Resolution transferring the sum of \$25,000.00, twenty-five thousand dollars, from Code Account No. 1051, Index Code 105106, Equipment, Office of the City Controller to Code Account No. 1048, Index Code 104802, Miscellaneous Services, Office of the City Controller."

Which was read.

Also,

Bill No. 453

A Resolution entitled, "Resolution establishing the Hunger Trust Fund of the City of Pittsburgh." —  
(SPONSORED BY MR. FERLO) (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 890

A Resolution entitled, "Resolution transferring the sum of \$1,600.00 from Code Account 10, (001008) Accounts Payable Prior Years to Code Account 1801, (180109) Miscellaneous Services, Department of Parks and Recreation."  
—(SPONSORED BY MR. LYONS)

Which was read.

Also,

Bill No. 906

A Resolution entitled, "Resolution providing for the transfer of union dues of employees of Environmental Services which were held in escrow in Blue Cross/Blue Shield, Index Code 210005, to Interest Earned Payroll Withholding Fund, Index Code 210500, and providing for the payment of the union dues including interest earnings to Environmental Services employees and Local 249 while the City of Pittsburgh held the union dues in escrow."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff for Mr. Pollock presented**

Bill No. 958

Report of the Committee on General Services for June 15, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 904

A Resolution entitled, "Resolution authorizing the City to incur Lease Rental Debt in the amount of \$7,900,000 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1988, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds."

Which was read.

**Michelle Madoff:**

Members of Council, Mr. President, I think it's important after the lengthy discussion that we've had on this bill to clarify what the bill really is.

**Mr. Ferlo:**

Point of Procedure, Mr. Woods.

Excuse me, Ms. Madoff. It's my understanding by talking to the Director this morning, his response was that this bill will be held for one week. And if we're not going to hold it, then I ask for a recess so I can go get my notes to discuss the bill.

**The Chair:**

You're right; we don't want to hold it.

**Michelle Madoff:**

May I just address what I was addressing? I had the floor.

**Mr. Ferlo:**

I'm asking a procedural point relative to our action to undergo at this time. The Administration told me this morning that we're not voting on this bill.

**The Chair:**

We're going to recess this meeting today until they sell the bonds. Then we will vote on this bill. So, we're withdrawing the bill; we're not going to present it. Like we do on every other bond issue, they have to wait until they sell it. It has preliminary approval; it was passed on Wednesday. And then you can discuss it and whenever they have the window open, what the interest rates will be, that's when we will take final action like we do on every other bond issue. You're absolutely right. But we won't hold the bill or recommit it; we'll recess this meeting.

**Michelle Madoff:**

Point of Order. Have we given final permission to go out on this bond? I didn't think we had until we voted today. I didn't believe there was final

approval to even go out and sell the bond until we voted today.

**The Chair:**

We gave preliminary approval on Wednesday.

**Michelle Madoff:**

But we didn't give final approval?

**The Chair:**

And we never do. We let them go out and get the window, they see what the interest rate is, we come back, we recommit this bill — Mr. Perry is right, we'll recommit this bill. We hold the Committee Meeting, then we come back into final action when we know what the interest rate is.

So, on this bill, I need a motion to recommit.

**Michelle Madoff:**

So moved.

**Mr. Ferlo** seconded the motion.

WHICH MOTION PREVAILED.

**Mr. Woods** presented

Bill No. 959

Report of the Committee on Parks and Recreation for June 15, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 784

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood Little League Association for professional services in connection with their Summer Baseball Program, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, (Index Code 183806), in the Department of Parks and Recreation." —(SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 785

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the 15th Ward Volunteer's for professional services in connection with their Football Program, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, (Index Code 183806), in the Department of Parks and Recreation." —(SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 884

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Project 90, Inc. for providing professional services in connection with their Comprehensive Educational Program providing scholarships for low income families to send children ages 6 - 14 to camp, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services (Index Code

183806), in the Department of Parks and Recreation." —(SPONSORED BY MR. DEPASQUALE)

Which was read.

Also,

Bill No. 907

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Overbrook Community Council for professional services in connection with their sponsorship of the Carrick High School Band performing in Washington, D.C. on the Fourth of July at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (Index Code 183806), Miscellaneous Services, Department of Parks and Recreation." —(SPONSORED BY MR. WAGNER)

Which was read.

**Michelle Madoff:**

Could the sponsor explain, please, "at a cost not to exceed \$1,000". Is that per child or is that just a contribution we're making to the organization?

**The Chair:**

That's for the entire band. One contribution we're making.

**Michelle Madoff:**

We're making a contribution to this comprehensive educational program of \$1,000 to send children ages 6-14 to camp.

**The Chair:**

Right. To play in a band.

**Michelle Madoff:**

It's a very small contribution.

**The Chair:**

Right. That's all they asked for.

**Mr. Wagner:**

I'd like my remarks brought forward on this bill, please.

(MR. WAGNER'S REMARKS ON BILL NO. 907 - WEDNESDAY, 6/15/88)

**The Chair:**

As sponsor of the bill, I know that they are several thousand dollars short. Their intent is to raise at least \$5,000.00, you are right. And I have indicated to them that this Council will publicly request that the School Board match this amount because this group is representing both the School Board and the City of Pittsburgh.

So, I would like the City Clerk, if it's in agreement with this Council, to send a letter to the School Board indicating that we would like them to match this sum of money with an equal \$1,000.00.

(END OF REMARKS)

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 960

Report of the Committee on Public Safety for June 15, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 865

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Polish Hill Citizens Association for the Kidswatch Program and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

### **MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

My first item is to address the bill that was introduced in error as an ordinance which should be a floor motion and everybody has copies of it. You may recall, the other day we had a bill submitted to Council. As I've often said, one of the duties Council offers is scapegoating. People don't want to take the responsibility in their committees and then they say, leave it to Council; let them take the heat. There are nine members of the Planning Commission and, of the nine members, we got a recommendation on a bill with only three affirmative votes. Nothing passes without a majority vote of five. I don't see why we should not send the bill back and say we want five votes.

My understanding is, and we'll probably have to ask the Law Department and we should send this, if it passes this Council, the resolution back to the Law Department and have it taken care of from there because my understanding is that it's a state law that sets up the Planning Commission and they don't have to give us five votes but I'd like to have the Enabling Act amended that says before a bill comes to us there must be five affirmative votes or at least a couple of attempts to do



that before it comes to us. My understanding is that if a particular bill goes back to the Planning Commission, there will be five votes. Six people showed up, for some reason somebody abstained, somebody voted no, three voted aye and I don't know what happened to the other vote. I don't think that's acceptable any more than it would be acceptable from this Council if we said three votes and it was no. Then there's got to be some other action. Obviously in this case it comes to us and we feel the heat. But I think either people want to serve on that Planning Commission or they don't want to serve on it.

I'd like to have an investigation, or a review would probably be more appropriate, by the Law Department of what is needed, do we need a) an enabling act; b) can we pass legislation ourselves that says we want the bill to come to us with five votes; and c) if people are attending or not attending who sit on that Commission and, if they're not, ask them to resign and get other people to fill those spots.

I think it's very important because I think a lot of hassling and fighting and dissention in the community is only perpetrated by the kind of action they get from the Planning Commission and a lot of time is wasted on both sides and nothing gets accomplished.

**Mr. Lyons:**

Mr. President, on the bill. If it came to us with three votes, evidently they're allowed to have three votes. I don't think this is the first time that something has come out of the Planning Commission with five votes. It would be a different body than Council. So, I think we would have to determine their laws first to see if they're within the ambiance of their law, that whatever

amount voted, the majority of the people voted was in the affirmative for the bill. I don't see that if we're doing anything else later on, but my point here on the bill, we must determine that they're not in error. That's all.

**Mr. Ferlo:**

Mr. President, I concur with my colleague, Michelle, on this point. I agree with her; I would suggest that we forward her draft bill to the Solicitor and do what she just said which is to basically ask the Solicitor for an opinion whether or not we have the power to pass legislation to create that threshold of a minimum of five votes or does there need to be a specific state law changing the enabling act or what have you. But I think if we just forward the document that Michelle has presented to the Solicitor, we could move the discussion ahead.

**Michelle Madoff:**

That was exactly what I said; I'm glad Mr. Ferlo agrees.

I just want to clarify for my colleague, Mr. Lyons, this does not pertain to his bill or to the bill before us. It pertains to all votes coming to us from the Planning Commission, that indeed they have five affirmative votes and, if they don't, we want to know why. At least we should know why we don't have five affirmative votes.

**The Chair:**

Mr. Perry, would you please forward that bill to the City Solicitor and get his response?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

Do you want to read the bill or is it necessary to read it?

**Mr. Wagner:**

May I comment? Mr. President and members of Council, I'd like to say that I think it's a good idea to investigate that because even though the issue came in front of Council last week, it was a 3-2 vote out of the Planning Commission where they have nine members. There is a very real possibility we could get a bill, a recommendation, that has a 2-1 vote if only three members show up. So, I think we do have to determine what is the minimum number of votes that the Planning Commission should have. I personally would like to see a majority five, but this does not preclude this Council from voting on any legislation that has come to this Council with less than five votes. So, consequently, I think during the interim period of which we're investigating the issue and the legality of it, we still have a responsibility to move forward on legislation.

**The Chair:**

I'd just like to add one thing. I agree with both sides but the Planning Commission is just like our Committee Meetings. The majority of the people there, if there's only five people there and something passes 3-2, it comes to this Council in the Legislative Meeting with affirmative recommendation. If it fails 3-2, it comes with a negative recommendation. But this is the final action and this is also the final action of the Planning Commission. So, the law perhaps looks upon the Planning Commission as just what it is, a committee. As long as they have a quorum, they can vote and majority rules, just like we do at our Committee Meetings. But, please, let's send it on

and get more information on it.

**Michelle Madoff:**

I think it is important that we read the bill because I think there's something left out of it.

**The Chair:**

It was already read. Mr. Perry read it into the Record.

**Michelle Madoff:**

There's something missing from the bill. I wish to add something to the bill, that we at least get a reason why the bill comes to us —

**The Chair:**

Please read it.

**Michelle Madoff:**

I don't have to read it; I just want to put an amendment to it that says we can at least have a reason why they are giving us the bill in the condition they're giving it with perhaps one positive and all negatives. We'd like to know why. Did they have two meetings? Did they have three meetings? How many times did they meet? Did they try to resolve the problem? Some kind of a response or a report to us so we know where we're at.

**Mr. Perry:**

Do you want me to read it, Ben?

**The Chair:**

Go ahead, read it.

**Mr. Perry:**

"Action of Commission. The

Commission shall make a report of its findings and recommendations within ninety days from the date of filing of the application, final recommendation shall require at least five affirmative votes of the appointed Commission members, and shall transmit a copy thereof to Council and to the applicant. Notification of such findings and recommendations shall be forwarded to interested parties when a written request therefore, in each particular case, has been filed with the Commission."

#### The Chair:

It's no longer an ordinance. All it is is a piece of paper with writing on it. It's not even a resolution; it's not a bill. It's only going down to get Danny Pellegrini's opinion.

#### Mr. Ferlo:

On an unrelated matter. Mr. Chairman, I would like to report briefly to Council and ask for some actions to be taken relative to a post agenda session that was held last week regarding what I consider a calamity in this City, and that is the purchase and the operation and now the ownership of this lovely piece of equipment called the Pierce Tiller. This brochure here, in fact, shows our beautiful City with this equipment and I presume the company is in the process of promoting this tiller and I would hope that any other cities that are in ear-range would buyer beware.

There are a number of concerns that I have and I'd like to just very briefly speak on this point, since I didn't speak on any legislation that we were voting on earlier.

I'm very disappointed in Director Jacoby because in reviewing a transcript of the Council meeting in October of '86, a discussion that Michelle Madoff and

Mr. Wagner and Mr. Givens at the time engaged in with Mr. Jacoby. He conveyed certain information regarding the purchase of this equipment, a sum of money at that time that he indicated was \$3.5 million. Under questioning from Michelle and Mr. Wagner and Mr. Givens, he answered a variety of questions, some of which and none of which was ever realized in terms of his commitments to this Council. He indicates that ten of them, meaning these trucks to purchase, will be ladder trucks and of that ten, three of them will be tiller trucks, meaning they will have the ability to have a rear driver. In fact, that's not what the City ended up purchasing; it ended up purchasing five tiller trucks and seven regular trucks.

Under questioning, Mr. Jacoby responded, and I quote, "None of these trucks will have any problem fitting in the station houses that we intend to put them in." That is not the case. We've already expended \$2.4 million retrofitting the fire stations because the tiller trucks don't fit in. And in fact, as I'm sure Mr. Lyons and others have pointed out, some of these tiller trucks don't even go over many of our bridges throughout the City.

He indicates also that there are 30 companies in the United States, and I quote, "There are approximately 30 in the United States that will produce these fire trucks." That is not true at all; nowhere near 30 companies entered into bids for the equipment.

I think most importantly regarding this truck, though, because of the apparent problems there are in the design and the safety of this vehicle, is a direct quote from Mr. Jacoby who indicates to Council under questioning from Mr. Wagner, and I quote Mr. Jacoby, "Certainly we would not buy a truck without having seen one of their

products. In addition to that, we would require references. We will also talk to the fire chiefs in the cities that do have their equipment and find out their service record and their performance record on these trucks. We would not buy a vehicle such as this without having not only seen the truck, seen it operate, but we would also talk to the other governmental agencies that own them." Well, either we got led down the primrose path, or Mr. Jacoby is a bold-faced liar and had no intention of doing what he intended to do.

I think it's irresponsible for the Administration to come to the table and under legitimate questioning from Councilmembers who are trying to determine the value and the priority and the worth of a purchase to be able to give this information and then not even follow his own words. Nothing took place; nothing of the sort took place in regards to the purchase of over \$3 million for the new so-called Pierce Tiller.

Another interesting point, before I refer to some of the specific complaints from the people who have to use this equipment. I can't understand one thing, and I think we should demand an investigation and some very clear indication from the Administration what went wrong. In the bid specifications for this equipment, there is a specific paragraph in the bid that says, "In order to establish that the model which is being bid has been widely accepted in this area, bidders are required to provide a list on the attached forms of at least six fire departments, preferably in Western Pennsylvania, who currently have in service apparatus and cab chassis similar in both design and use to that which is specified. A list of references for use in establishing the expected quality of the proposed equipment must be provided. Failure to comply may

result in rejection of bid."

On that paragraph alone, I cannot understand legally how we proceeded to even purchase the Pierce Tiller equipment. A company that never before produced a tiller equipment or even a fire truck with a straight ladder. This was not produced, ever, in the history of this company. How they even met these bid specifications is beyond my understanding. One would think that some shenanigans were afoot and I think it's the responsibility of this City Council to hold Chief Leahy responsible. As I've indicated to the papers and to the news media following the post agenda, I felt very strongly that Chief Leahy should either resign or be fired. I still believe that very strongly based on the information that I've seen.

Having been familiar with the tiller equipment that we purchased as well as the older equipment that we have, I physically sat in each one of the equipment. I agree with the complaints and concerns. There is absolutely no visibility or ability of a tiller man to drive the new aerial truck; there's no visibility. The ladder does not rotate 360 degrees completely, as the brochures suggest, because of design flaws that even before it came out of the factory they had to add some lighting to the top cab hood and, as a result, the ladder itself cannot even rotate unless it's 42 feet high already. There's no safety locks on the ladder, the hydraulic lift. Once the ladder goes up, in the last few weeks alone, it's been known to come down and there's a great potential for a firefighter to have his foot removed from this ladder.

I followed in a car the Pierce Tiller that went out on a fire to West Penn Hospital. Fortunately, it was a false alarm. And I noticed when the truck came back to the Stanton Heights

parking lot where they were doing some maneuvers, the outrigger chased loose from the equipment. It extends out six or seven inches. It's going to cause a situation where that's going to be scraping cars at some point.

In noticing the maneuvers of the Fire Department, it's clear to me that the setting up of the new tiller takes three times as long to make it fire ready than the old tiller that we have in stock.

I mentioned the problems with the bridge weight, the fact that this tiller cannot even go over a number of bridges in the City, and in fact, Mr. Jacoby's comments were not accurate because in the end we did have to retrofit and redesign buildings.

All of these comments were alluded to gentlemen who are 10 and 11 year driving instructors in the post agenda session.

I'm very concerned. I think the previous Council has been buffaloeed and now we're holding on to some white elephants. I'd like to know what we're going to do about it. There are a number of options; I think Pierce should come in for free and redesign this vehicle if it's possible. Is there any possibility that we have any legal rights here to basically send the equipment back and get our money back? Are we going to investigate and have a discussion with Mr. Leahy who is responsible for the design flaws in this tiller equipment?

We've been led down the primrose path. We're out \$4 million, \$5 million, \$6 million and we should be asking a lot of questions and demanding that some heads roll. Most importantly is the issue of the future. Is this a safe vehicle? Is this what we want our firefighters to have to live with every day and go out and try to wage a fight against a fire?

I'm saying, my friends in Council, that we have to do some more homework on this and we should be demanding some answers from the Mayor and from the Administration regarding what their intention is on this equipment.

I just want to point out in closing, and I hope that others will make their comments because they were here when I wasn't last year, it's interesting to note that the Pierce Company bid \$345,000 for this equipment when we bought it. The same equipment is now being bid at \$507,000, a recent bid that went to the City of Columbus, Ohio. They are, in fact, not the low bidder there so my prayer is that the City of Columbus, and I will communicate to those elected officials, will not embark on a purchase with this company. But they bid \$507,000. I suggest that what we have here is a situation where a particular fire chief would like to either have his name go down in history for having helped redesign or, to use the brochure, revolutionize a piece of fire equipment. I think his ego is at play here and that ego has cost the City over \$5 million. I would demand that Chief Leahy resign or be fired, quite frankly, and I would further request that the Administration communicate to Council regarding what we're doing about this. And I hope the public is equally concerned.

Thank you, Mr. Chairman.

**Mr. DePasquale:**

On the same subject, Mr. President. I agree wholeheartedly with the remarks and sentiments of Councilman Ferlo. The actions were very improper on the part of Safety Director Cannon, I believe, the General Services Director, Dawn Rotsford, and City Solicitor Pellegrini who were the three who walked out. I was sitting here at the time they walked out and,

actually, I was shocked. I couldn't believe that they would refer such an insult to Council and the firefighters.

Their argument was that they weren't going to sit down and negotiate a contract or deal with the firemen in regards to their contract, collective bargaining, what have you. This was not a meeting with the firemen and with the Safety Department and the General Service Department of the City of Pittsburgh; this meeting was called by Council where these parties and the other involved and interested parties and who moreso than the firemen. And when the firemen sat down and they walked out, that was highly improper. I just don't understand their actions and why they did it and I don't know what we can do to get them back here, more or less force them to stay and have that post agenda or conduct that hearing.

But until then, I just want to go on the record as saying that I agree wholeheartedly with Councilman Ferlo and I thought that their actions the other day were very, very improper.

**Michelle Madoff:**

Mr. President and members of Council, obviously from the transcript that Mr. Ferlo read to Council, many of us were questioning the new fire trucks. In cross examining Mr. Jacoby early on before we actually approved and voted on them we knew that there was going to be several million dollars -- I guess we didn't know until afterwards that there was \$ million in repairs to the actual fire stations, particularly the doors and the floors.

I was unable to attend the post agenda the other day and I'll be happy to tell you that I had a meeting with the design engineer looking at the \$28 million reservoir covers and coming up

with some alternative suggestions and on the salt domes. And I couldn't be in two places at once and the meeting had already been set up. So, what I did was have my office contact the Underwriters' Laboratory. The reason I did that is presumably Mr. Ferlo and others are saying the fire trucks are not safe; others are saying that they are, meaning the Administration. So, we wanted to get an independent person or an independent source that can evaluate the fire trucks. And we did that.

We spoke to a Mr. Boyd Cole of the Underwriters' Laboratory and we have the phone number here, it's a 408 number, 985-2400, ext. 2271. He's to call us back today to give us the name of somebody who is capable of coming in and independently evaluating the fire trucks as to their safety. My office asked him if he was able to evaluate the new tiller trucks for safety. He told us that the LTI Company of Lancaster has been making similar equipment for some time with no problems and are detected problems in the design.

He felt that it was a distinct possibility that our problem was a lack of additional training. But he will be calling us today or tomorrow to give us the name of somebody who could come in as an independent, as I said, from Underwriters' Laboratory, to look at the product, tell us whether it's a good product or not. And I thought that was the way to go. We ought to not be dealing in a vacuum; we ought to be dealing from fact. And I don't think we really have the facts at this point.

So, I'd like the permission of Council to pursue this avenue; I'm going to do it anyway but it might be as a joint support that we have an independent evaluating organization, Underwriters' Lab, that gets the Good Housekeeping Seal of Approval for a product such as

this and let them come in and tell us whether there's anything wrong with the vehicles or not because no matter what we say, the Administration is going to say they're safe and the Administration could very well be correct. We don't know. Maybe there's more training needed; maybe the trucks are defective. The only way we're going to know is to have someone who has no axe to grind to come in to take a look. And that would be in the form of a recommendation that we have them come in. I don't think there's any charge but, if there is, I don't think it will be substantive; it will be minimal and we ought to go in a responsible course of action and I think this would be the way to proceed.

**Mr. DePasquale:**

One other comment, I forgot to say a while ago. In regards to the most important part of that post agenda, I believe, was concerning an alleged large amount of misspent money. And for the attention of the media, especially, for these people not to even sit down and to explain to us why they ordered this equipment, it doesn't fit into the engine houses, it can't make the corners of most of the streets in the City of Pittsburgh, and their argument was, so what, they had accidents before. Two wrongs don't make a right. They'll go out and order that equipment and I think Councilman Ferlo said in the amount of millions of dollars and then to say we've had accidents in the past. I don't buy that argument and I don't think anyone else should.

**Michelle Madoff:**

I have a motion on the floor, Mr. Woods, and I'd like a second, if I can, to have the Underwriters' Lab come in and do an independent evaluation.

**Mr. DePasquale** seconded the motion.

**The Chair:**

I think for us to do that we end up paying money. If we can convey that to the Administration, let them come in and let them spend the money.

**Michelle Madoff:**

I plan to do that.

**The Chair:**

But then for us to go and hire somebody, we can't enter into a contract and ask somebody to come in here.

**Michelle Madoff:**

You're saying this Council shouldn't go out and hire somebody, and I don't think there's any fee involved, it's the Underwriters' Lab, I think it's part of their services and duties. However, even if we had to pay something, how do we sit here and criticize the Administration, make accusations that we've all made about expenditures and the need to revamp the fire stations and the doors, and then say, but it's not our department to verify whether we know what we're talking about. Either we know what we're talking about or we don't. If we're going to criticize, let's know what the facts are.

**Mr. Ferlo:**

I know what the facts are.

**The Chair:**

I think Mr. Ferlo is going in the right direction. He had a post agenda and I'm going to take it further when we're all done here, and people are going to give some answers.

You have a motion on the floor and it was seconded. Now, anyone that wants, and I think for this Council to do that at this time is completely off-base. That's my opinion.

**Michelle Madoff:**

I'm sure the Administration --

**The Chair:**

Ms. Madoff, I didn't interrupt anybody here and I listened to you very politely. Now I have the floor and I'd like you to listen to me politely without putting your side barbs in. Do you mind doing that?

I think this Council should vote that down. I don't think we have any business hiring anybody to evaluate something that the Administration bought and sold this Council. And I think Mr. Ferlo was in the right direction when he called the post agenda and, since some people did walk out, I have another way and we'll get them here. But it will be done in an orderly manner. And if anyone is going to be hired to evaluate the safety other than Mr. Cannon or Mr. Jacoby or Chief Leahy, then let the Administration bring somebody in and tell the Administration where they messed up, not this Council.

Now, roll call on those in favor of Ms. Madoff's motion to have a private consultant come in.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Michelle Madoff

AYES 1      NOES 6

**VOTING NO:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Wagner:**

Mr. President and members of Council, I simply want to say that Underwriters' Laboratory is an organization that is paid by the manufacturers to test products. Underwriters' Laboratory, no matter what product they test, that company has paid them to do that. Are they independent? Yes, I hope they are; but at the same time, it's always important to check -- First of all, they're not always right; hopefully, the majority of time they are right. But it's always important to determine whether or not an independent, so-call independent testing company is being paid by that manufacturer to test that product.

I think the issue here, we've talked about several things, but I think the bottom line issue has to be the safety of the product. Whether or not this vehicle is safe, certainly this company has to have product liability insurance and maybe even we should be contacting that insurance company that insures that company and get their opinion and determine what types of tests have been conducted on the product. We certainly don't want our firefighters using something that's unsafe. I certainly



believe that the firefighters' union doesn't want that, I believe Director Cannon doesn't want that and I believe Chief Leahy doesn't want that. So, somehow or another, we have to focus in on the issue of safety of the product, determine if it's safe or it isn't, and then go from there.

**Mr. Coyne:**

I did have the opportunity to attend the post agenda meeting the other day and listen to the concerns of the firefighters and, like Mr. Ferlo and Mr. DePasquale, I share their concerns. It seems to be a very serious issue of safety. But at the same time, Council right now is going forth with their argument and certain accusations without having heard from the Administration yet at this point. Granted, there are major questions and I have corresponded with Director Cannon's office to try to get some answers to those problems, and, for whatever reason they walked out of the hearing, they said it was because they were not advised that the union would be attending, that's something I think we need to deal with. And before we can jump off and start making proper decisions on what our next course of action should be, I think we should try to get a meeting together with the Administration and with Director Cannon and Chief Leahy to find out what their explanation is on the vehicle and to get their side of the story and then to make decisions as to what we should do from that point.

**The Chair:**

Mr. Ferlo, I will get hold of the Administration; I will meet with them and we will have another post agenda when there will be parties from all sides attending. It won't be a mob; it will be done in a proper manner.

**Mr. Ferlo:**

Mr. President, on this note. I know for a fact that there have been meetings between the Mayor and others regarding the issue of these fire trucks and I know for a fact that the Administration realizes they've made a major mistake. Fine. Say that publicly and let's get on with making sure that these are either retrofitted, if they can. Do we have some legal prerogatives to send them back and get our money back? Can we rebid something in the future? Let's learn from our mistakes. But I'm only asking that yourself, as President of Council, take part in these negotiations or interactions so that we have some hand in what's going on and it's not just left up to the Administration because they've already botched this and without our input I feel that they will botch anything that will happen anew. And that's why I'm asking for your input.

**The Chair:**

I will do that.

**Michelle Madoff:**

Can I speak now? I do have permission? I want to be sure.

I think the suggestion by Mr. Wagner is a very sound one. Obviously, the company must have an insurance company that has approved the safety of the product. And I think if there's any other further meetings, if there's any question about the independence of Underwriters' Laboratory, which I will check today to verify what Mr. Wagner has said, that indeed they are paid by product producers. And if that happens to be true, and I'm not sure that it is, then of course we would not want to have the Underwriters' Lab. We certainly would want to have the company who carries the insurance and

the liability on the fire trucks be represented here to explain why they insured the vehicles. I think that's an excellent idea.

However, if memory serves me well, I recall the firefighters having some great concern about these fire trucks and when I served as committee member of the General Services Committee, I gave them my word that no piece of equipment would be bought without their input. And I believe they did have input on the fire trucks before they were purchased. I'm almost sure that is correct. Now, whether they had enough information to go on, whether we're still all dealing in a vacuum, I don't know. But that's the kind of question I'd like to have answered when we have whatever meeting you're going to have with the parties concerned. I don't know how you're going to force them together, Mr. Woods; I don't know how you're going to make the Administration and the firefighters sit down if indeed there's a question of union negotiations.

I think it would be incumbent upon this body to write to the Safety Underwriters of the equipment, ask them on what basis they justify giving the insurance. I think it would be important to find out from the firefighters whether they did indeed — I didn't vote on it until I had their permission — did they go and look at the equipment and approve the equipment? My understanding is that they did. I don't think you can lay the blame with just one person. And I'm not sure from the information we have that it isn't just a matter of more training, and if that's not true and the equipment is unsafe, then we ought to get it off the street and protect our firefighters because the long-term cost is going to be far greater than the money expended today.

So, I'm just saying that it isn't

enough to say we're going to hold a meeting; we better have the right people at that meeting.

**The Chair:**

Is there any other business to come before Council?

**Mr. Lyons:**

Real quickly, Mr. President. I have a thing that concerns me and it has since 1986 when we had the condition on the railroad track in Bloomfield for the moving of nuclear waste. I have written several Congressmen and Senators in this regard. In 1982, Congress has said that no nuclear waste would be removed until the repositories were made and then they would direct where the repositories would be. And that would not be until after 2000. They're always supposed to remain on the reactor site. Now we have been moving nuclear waste out to Idaho which I think violates every law in the country. Certainly, in 1986, two years ago when we had the incident here, quick payments were made to those who may have been affected and nothing is said.

I feel that there should be some instruments or vehicles that would abolish the removing of nuclear waste, because Congressman Luken, I have written him asking him to have this because electric companies are making millions and millions of monies and the costs are falling on the consumers. Certainly, I'm real concerned about the welfare of the people not only of Pittsburgh but of the country and I think that last year on May 5th here in Council, we had a public hearing regarding nuclear waste and from the representatives from the DER and NRC, they were very deceptive and very untruthful to the public. And certainly I'm going to pursue to stop the removal of nuclear waste. Thank you.

**Michelle Madoff** moved to excuse Mr. Pollock for absence from the meeting.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to approve the Minutes of Monday, June 6, 1988.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Wagner** moved that this meeting be recessed pending the sale of the Equipment Leasing Authority Revenue Bonds.

**Mr. Lyons** seconded the motion.

And on the motion of **Mr. Wagner**

Council recessed.

Pittsburgh, PA  
Monday, June 27, 1988

And the hour of 10:00 o'clock, A.M. having arrived and the time of recess having expired, Council reconvened and there were present:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferio      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

ABSENT:

Mr. Pollock

And on the motion of **Michelle Madoff**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, June 27, 1988

No. 25

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, June 27, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presented

No. 964 Resolution amending Resolution No. 968, effective October 16, 1985, as amended by Resolution No. 818, effective October 23, 1987, as amended by Resolution No. 1037, effective December 22, 1987, entitled: "Providing for a Cooperation Agreement or Agreements, or Supplemental Agreement or Agreements, with the Commonwealth of Pennsylvania, Department of Transportation, for the maintenance and ownership of facilities constructed as part of I-279/I-570 Expressway; and providing for the payment of the costs thereof," by increasing the total project allocation by \$1,200,000.00 from \$250,000.00 to \$1,450,000.00.

Also,

No. 965 Resolution amending Resolution No. 269, effective April 12, 1988, entitled: "Providing for the acquisition of taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Maria Pena, his wife, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation cost related thereto," by amending the description set for therein.

Also,

No. 966 Resolution amending Resolution No. 1094, effective January 1, 1988 as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by allocating 1988 NPA funds for two (2) existing projects (EC 88-68 and EC 88-69), by creating two (2) new line items (EC 88-70 and EC 88-71) and by adjusting the Summary Totals.

Also,

No. 967 Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's Share of refurbishing of the lighting system and related apparatus of the Armstrong Tunnel at a cost not to exceed \$195,000.00, chargeable to and payable from Code Account EC 88-70.

Also,

No. 968 Resolution amending Resolution No. 250, effective March 20, 1987, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for Remodeling of the Department of Engineering and Construction, Third Floor, City-County Building; and providing for the payment of the cost thereof," by increasing the total project allocation by \$200,000.00 from \$135,000.00 to \$335,000.00."

Also,

No. 969 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of No. 5 Police/No. 8 Fire Station at a cost not to exceed \$1,063,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 970 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$16,178.80 in payment of Design Services in connection with the Reconstruction of a Retaining Wall at Phelan Way, payable from Code Account EC 88-24. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 971 Resolution amending Resolution No. 350, effective April 27, 1987, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for construction in connection with the Replacement of Roofing Systems at Various City Facilities; and providing for the payment of the cost thereof," by increasing the total project allocation by \$100,000.00 from \$500,000.00 to \$600,000.00. This amendment will provide sufficient funds for complete rehabilitation of the following roofs: Burgwin Bath House, General Services Maintenance Shop, and the Aviary.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 972 Resolution transferring the sum of \$75,000.00 from Code Account 1402, Index Code 140202, Uniforms and Equipment to Code Account 1402-9, Index Code 140293, Workers Compensation, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Workers Compensation Payroll for the remainder of 1988.

Which was read and referred to the Committee on Finance.

Also,

No. 973 Resolution providing for an Agreement or Agreements with the Mt. Washington/Duquesne Heights United Block Watch for professional services in connection with their National Night Out Parade on July 30, 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (Index Code 183806) Miscellaneous Services, in the Department of Parks and Recreation. —(SPONSORED BY MR. DEPASQUALE)

Which was read and referred to the Committee on Parks and Recreation.

**Mr. DePasquale** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 974 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization

for Assistant Chief Mark Martorano, Bureau of Administration, to attend a Consortium meeting, held in Atlanta, Georgia, July 13-17, 1988, at a cost not to exceed \$677.00, payable from the PSTA Code Account. Asst. Chief Martorano will be a speaker at this meeting addressing Computer Aided Dispatch issues.

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 975 Resolution transferring the sum of \$13,000.00 from the Community Communications Trust Fund, Index Code 250555, Bureau of Cable Communications, Department of Public Works to Code Account 1154-1, Department of General Services, Rental of Motorized Equipment as reimbursement for one (1) used City vehicle utilized by the Bureau of Cable Communications for on-location TV production for the Government Cable Communications Cable Channel 17 and Municipal Services Channel 15.

Which was read and referred to the Committee on Finance.

Also,

No. 976 Resolution granting unto Beechview Manor, Inc. its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense a pedestrian bridge over a portion of the Right-of-Way of Crosby Avenue in the 19th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Also,

No. 977 An Ordinance

supplementing the Pittsburgh Code, Title 8 - Fire Prevention, Article 29, Hazardous Materials and Chemicals, Chapter 803, Amendments, Section F-2901.2 of the Boca National Fire Prevention Code, by adding Item (1) including the NFPA 704 Identification of the Fire Hazards Materials, 1985 Edition.  
—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

**Mr. Lyons presented**

No. 978 Resolution authorizing the Mayor, on behalf of the City of Pittsburgh, to submit an application for financial assistance in the amount of \$70,000.00 to the Commonwealth of Pennsylvania, Department of Community Affairs from the Emergency Shelter Grant Program in connection with the Womanspace East project located at 2000-2002 Fifth Avenue, in the City of Pittsburgh.

Also,

No. 979 Resolution providing for an Emergency Shelter Grant Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the implementation of a grant from the Commonwealth of Pennsylvania, Department of Community Affairs in the amount \$70,000.00 for the Womanspace East, Inc., Project at 2000-2002 Fifth Avenue, chargeable to and payable from the State Funded Housing Project Trust Fund.

Which were read and referred to the Committee on Planning, Housing and Development.

Also,

No. 980 Communication from Councilman Lyons, requesting

authorization for Burma Johnson and Marilyn Wilson, Administrative Assistants to attend the Eighth Annual Council Staff Conference, August 10-14, 1988, Providence Rhode Island, at a cost not to exceed \$1,600.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council.

Which was read and referred to the Committee on Finance.

**Mr. Lyons moved to suspend Rule 8** by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. DePasquale seconded the motion.**

Which motion prevailed.

Also,

No. 981 Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc. for professional services at a cost not to exceed \$20,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Spring Garden Neighborhood Council (CC-88-02).

Also,

No. 982 Resolution providing for an Agreement or Agreements with the Bidwell Training Center for administrative/operating support, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Bidwell Training Center (CC-88-03).

Also,

No. 983 Resolution providing for an Agreement or Agreements with the



Homewood-Brushton Improvement Association and the Urban Redevelopment Authority for the rehabilitation of a Personal Care Boarding Home at a cost not to exceed \$10,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Homewood-Brushton Improvement Association (CC-88-04).

Also,

No. 984 Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support at a cost not to exceed \$22,944.00, chargeable to and payable from the 1988 CDBG Program - City Council - Perry Hilltop South CDC (CC-88-05).

Also,

No. 985 Resolution providing for an Agreement or Agreements with Garfield YMCA for administrative support at a cost not to exceed \$10,000.00, chargeable to and payable from the 1988 CDBG Program "Unspecified Local Option" (CC-88-06).

Also,

No. 986 Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Services for administrative assistance in operating the Therapeutic Activity Social Services programs for the severely mentally impaired at a cost not to exceed \$25,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Riverview Center for Jewish Services (CC-88-07).

Also,

No. 987 Resolution providing for an Agreement or Agreements with Support (formerly Legal Advocacy for

Women), an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments at a cost not to exceed \$31,500.00, chargeable to and payable from the 1988 CDBG Program - City Council - Support (CC-88-08).

Also,

No. 988 Resolution providing for an Agreement or Agreements with Montifiore Hospital for administrative assistance in operating their "Living at Home Program" at a cost not to exceed \$39,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Montifiore Hospital (CC-88-09).

Also,

No. 989 Resolution providing for an Agreement or Agreements with the West End - Elliot Joint Project for equity assistance in the purchase of a building of mixed-use residential-commercial use at a cost not to exceed \$7,500.00, chargeable to and payable from the 1988 CDBG Program - City Council - West End - Elliot Joint Project (CC-88-11).

Also,

No. 990 Resolution providing for an Agreement or Agreements with the Community Human Services, Inc., and the Urban Redevelopment Authority for financial assistance to operate and expand their "Social Service Program Facility" at a cost not to exceed \$60,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Community Human Services, Inc. (CC-88-12).

Also,

No. 991 Resolution providing for

an Agreement or Agreements with the Beechview Manor and the Urban Redevelopment Authority for site work at the Beechview Manor Hi-Rise at a cost not to exceed \$16,500.00, chargeable to and payable from the 1988 CDBG Program - City Council - Beechview Manor (CC-88-13).

Also,

No. 992 Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the "Commission on Families" program at a cost not to exceed \$50,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Commission on Families (CC-88-14).

Also,

No. 993 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons at a cost not to exceed \$240,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Pittsburgh Community Services, Inc., (CC-88-15).

Also,

No. 994 Resolution providing for an Agreement or Agreements with Community-Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods in the City at a cost not to exceed \$360,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Community-Based Organizations and the Neighborhood Fund (CC-88-16).

Also,

No. 995 Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, unemployed, disabled, and child care center at a cost not to exceed \$35,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Ursuline Center (CC-88-17).

Also,

No. 996 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse at a cost not to exceed \$17,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Pittsburgh Action Against Rape (CC-88-18).

Also,

No. 997 Resolution providing for an Agreement or Agreements with the Jewish Family and Childrens' Service Center to provide administrative support to the Agency (Caregiver's Program) at a cost not to exceed \$19,566.00, chargeable to and payable from the 1988 CDBG Program - City Council - Jewish Family and Childrens' Service Center (CC-88-19).

Also,

No. 998 Resolution providing for an Agreement or Agreements with an Agency or Agencies to implement and coordinate the "Pittsburgh Literacy Initiative" a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families at a cost not to exceed \$33,922.00, chargeable to and payable from the 1988 CDBG Program - City

Council (CC-88-20).

Also,

No. 999 Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program at a cost not to exceed \$5,000.00, chargeable to and payable from the 1988 CDBG Program - City Council - Generations Together (CC-88-21).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff:**

Point of Clarification, Mr. President. Are these bills that were approved last budget and are just going through the process now with Unspecified Local Options? These are not new items that are being introduced. I think that's important because anyone listening is going to say Council is now starting to give these monies away; why didn't we get our fair share. So, I think that's important. This is what those bills are; am I correct?

**The Chair:**

Right.

**Michelle Madoff:**

Thank you very much.

**Michelle Madoff presented**

No. 1000 Resolution providing for the transfer of \$128,000.00 from the Department of Water, Municipal Obligation for Non-City Water, Code Account 1926 (192609) to Code Account 1927 (192708) Refunds. This transfer is required due to refunds to the University

of Pittsburgh totaling \$127,802.94. The refunds were caused by an error in billing due to an older style three inch compound meter that at times can be difficult to read.

Which was read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1001 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a "Citywide Food Distribution and Services Program" at a cost not to exceed \$100,000.00.

Also,

No. 1002 Resolution amending Resolution No. 732, effective August 14, 1980, as amended by Resolution No. 1365, effective December 31, 1981, entitled: "Providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$180,000.00" so as to decrease the amount for the project by \$46,414.42 for a total amount not to exceed \$133,585.58.

Also,

No. 1003 Resolution amending Resolution No. 448, effective June 16, 1988, entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program", so as to decrease line item (CC-88-10) "City Council - Hunger Services Network" from \$53,060.00 to "0"; and

increase line item (CC-88-01) "City Council - Pittsburgh Community Services" (Hunger Program) from \$10,000.00 to \$63,060.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1004 Resolution Repealing Resolution No. 271, Item J, approved March 16, 1987, which authorized the sale of property in the 18th Ward, being vacant lots located at 40 and 44 Hanover Street, designated as Block 3P, Lots 56 and 57, to Henry J. and Joann R. Metting, for the sum of \$750.00. The reason for the above repealing resolution is that the Planning Department discovered that the property had been approved in error. It is to be held for public improvements that involve the drainage system and steep slope erosion control.

Also,

No. 1005 Communication from Dante Pellegrini, City Solicitor, Department of Law, requesting authorization for Gretchen Donaldson, Associate Solicitor, to attend a seminar on the Fundamentals of Municipal Borrowing at the Vista International Hotel, Pittsburgh, PA, June 22, 1988, at a cost not to exceed \$145.00, payable from Code Account No. 1075. The

course has been designed to instruct attorneys with a limited knowledge of financing in the important principles of municipal borrowing.

Also,

No. 1006 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Sofronia Harris and Charles Morrison to attend supervisory development courses, Introduction to Supervision, at the Federal Building, Pittsburgh, PA, July 11-15, 1988, at a cost not to exceed \$610.00, payable from the HUD/FHP Trust Fund.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods** presented

No. 1007 Resolution transferring the aggregate amount of \$18,000.00 from the below-listed Code Accounts to Code Account 1851-1, Zoo Premium Pay (185116), in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

Opposed.

Which motion prevailed.

## UNFINISHED BUSINESS

**Mr. Ferlo:**

Mr. President, several weeks ago we approved several bills which I believe were sent to the Board of Code Review; one on the plastic issue, and two having to do with reforming the Board of Adjustment process. I was wondering at what time do we expect word back from the Board of Code Review relative to their deliberations on those three bills.

**Mr. DePasquale:**

I think he said two weeks.

**Mr. Ferlo:**

It's been many more than two weeks.

**The Chair:**

He said probably a month.

**Mr. Perry:**

It requires 45 days for them to respond.

**Mr. Ferlo:**

Thank you, sir.

## REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1008

Report of the Committee on Finance for June 22, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 908

A Resolution entitled, "Resolution providing for an Agreement with NeighborFair Inc., to provide funding for NeighborFair '88 at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office, Index Code 101709."

Which was read.

Also,

Bill No. 909

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 912

A Resolution entitled, "Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$18,000.00 from Code Account PR 87-02, 4-10-10-0002-87, Index Code 320911, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100."

Which was read.

Also,

Bill No. 913

A Resolution entitled, "Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$2,600.00 from Code Account PR 88-02, 4-10-10-0002-88, Index Code 320929, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 947

A Resolution entitled, "Resolution transferring the sum of \$200,000.00 from Code Account 53-1 Debt Service - Stadium Authority of Pittsburgh to JTPA-1 Trust Fund, Federal Funds (Index Code 260307)." —(SPONSORED BY MR. LYONS)

Which was read.

Also,

Bill No. 948

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Public School District and/or other private for profit and non-profit entities to provide City of Pittsburgh JTPA and/or CDRG eligible youth with employment opportunities, work experience, labor market orientation, on-the-job training and/or classroom training in connection with the Pittsburgh Partnership Employment Program and providing for the payment of the costs thereof." —(SPONSORED BY MR. LYONS)  
(AS AMENDED IN COMMITTEE)

Which was read.

**Mr. DePasquale:**

Mr. President, in regards to Bill 948, you know, it's not my habit to agree with the Pittsburgh Press but they had an article Sunday that I thought made a lot of sense. Perhaps I fell asleep on it the other day but we're talking about a summer program and I think everybody knows here that I'm not against summer programs. But we're talking about this thing starting after July 1. I presume, if I can speak to the maker of the bill, that we're talking about youngsters who are on summer vacation who will be returning to school late in August or around Labor Day. By the time that money is put in place, if we get it, \$200,000 which incidentally is a drop in the bucket, summer will be just about over. It just won't be worthwhile and it's a waste of time, personally.

I think it should be done in March or April so, if we can wait until next year and do it in March or do it in April

and have a program next summer, and have a worthwhile program. But \$200,000 this late in the year is just -- There's not going to be that much work or that many youngsters put to work and I doubt if we'll have that money in place. They won't get much more than a couple of pays.

**Mr. Lyons:**

Mr. Chairman, I move that Bills 947 and 948 be recommitted.

**Mr. Ferlo** seconded the motion.

WHICH MOTION PREVAILED.

**Mr. Lyons presented**

Bill No. 1009

Report of the Committee on Planning, Housing and Development for June 22, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 891

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Housing Authority of the City of Pittsburgh with respect to approximately three hundred (300) units of low-rent housing, and providing for the acceptance by the City of Pittsburgh of payments in lieu of taxes from said Authority, and affirming prior Cooperation Agreements."

Which was read.

Also,

Bill No. 892

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 893

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the rental Housing Development and Improvement Program."

Which was read.

Also,

Bill No. 894

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$800,000.00 to the Pennsylvania Department of Community Affairs for the Pittsburgh Construction Loan Fund."

Which was read.

Also,

Bill No. 895

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$300,000.00 to the Pennsylvania Department of Community Affairs for the Vacant Housing Recovery Program."

Which was read.

Mr. Ferlo:

I would like my remarks brought forward for the Record, please.

Also,

Bill No. 896

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$500,000.00 to the Pennsylvania Department of Community Affairs for the Federal Street Improvements."

Which was read.

Also,

Bill No. 897

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$400,000.00 to the Pennsylvania Department of Community Affairs for the Streetface Program."

Which was read.

Also,

Bill No. 898

A Resolution entitled, "Resolution providing for the 1988 Rental Housing Development and Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in Community Development Block Grant Funds, Rental Rehabilitation Program Funds, Tax Exempt Revenue Bond Funds, and Developer Private Investment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 899

A Resolution entitled, "Resolution providing for the 1988 Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in Pittsburgh Home Ownership Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 900

A Resolution entitled, "Resolution providing for the 1988 Pittsburgh Construction Loan Fund Program Cooperation Agreement with the Urban Development Authority of Pittsburgh providing for the designation and



implementation of \$800,000.00 in Community Development Block Grant and Urban Development Action Grant Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 901

A Resolution entitled, "Resolution providing for the 1988 Vacant Housing Recovery Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$300,000.00 in Pittsburgh Home Ownership Program Funds, Developer Private Investment Funds, Urban Development Action Grant Program Funds, and Community Development Block Grant Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Mr. Ferlo:

I would like my remarks brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. FERLO'S COMMENTS ON BILL NOS. 895 AND 901 -  
WEDNESDAY, 6/22/88)

Mr. Ferlo:

Discussion. Appropriate to this bill, one of the problems that I have or one of the detrimental side effects of the Section 202 Program, the so-called senior citizen high-rise, for instance Shapinsky Arms--yesterday there was a public hearing in relation to a senior high-rise that will be built-in Homewood and this Council has approved many in the past.

The problem that I have or one of the things that I would like an understanding of has to do with the impact of when these high-rises go up and what happens in the community when an elderly person ends up leaving a home vacant and then goes into a Section 202?

I wanted a better appreciation for what the Authority is doing relative to resolving one problem, and I'm all for the Section 202 Program but I would like to see some result and emphasis placed on the home that is vacated and what can be done to not have a situation where these homes end up on the three taxing bodies or end up becoming condemnation, cannibalized, as Michelle has referred to. That's the problem that I have.

Mr. Lieber:

I guess my response to that is that the Authority runs 15 different housing programs five of which are devoted to home ownership. We attempt to stimulate the real estate sales in these neighborhoods primarily under our Pittsburgh Home Ownership Program which is the program for first-time home buyers. I think many of these neighborhoods that we see the 202's go up--Beechview and Brookline and Homewood is where we do the vast majority of our business. I think this year we will probably lend about \$25 million promoting home ownership in the city so I cannot specifically say that every person that moves out each one of these units then sells their unit under the Pittsburgh Home Ownership Program but I think we are providing a favorable source of capital well below what you can get conventionally to try to stimulate movement of some of these houses and I think we have been doing that successfully.

It's under the Vacant Housing Program for those homes that are being left vacant and left vandalized and so forth and we have modified the program and we're trying to speed up production. I think in the nine months we found ourselves matching our previous five-year production under the program but I think that by getting additional funds under this program we

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can deal with the problems particularly in the Northside, Homewood and the Hill District where we think the problem is more prevalent.

Mr. Ferlo:

The question I wanted to get to Mr. Wagner is, on one hand we're doing something good by Section 202 Program but on the other hand we're displacing primarily elderly folks who leave a home in many cases. My question to the URA is, who actually provides an inventory for people who go into the Section 202 unit?

In other words, is there a specific process by which the URA determines when a 202 goes up and the doors open? What happened on the other end? Where did these people come from who are going to live in Section 202 and what happened to their homes? Who does that inventory? And who does that evaluation? Do you understand what I'm asking?

Mr. Lieber:

Yes.

Mr. Wagner:

If I may interject, can that tie into the two bills in the Vacant Housing Recovery Program?

Mr. Lieber:

I guess the assumption is that once these elderly individuals move into the 202, that their unit become vacant and vandalized --

Mr. Ferlo:

--I didn't say vandalized, I'm saying who provides an inventory of where the people come from who fill the 202 units? What happens to their the homes?

Mr. Lieber:

We don't take that into consideration.

Mr. Ferlo:

I understand that but my concern is that as part of this process and that's why I think it is related to this issue, someone needs to actually be hired if it needs to be a person

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hired on the payroll who actually does an inventory.

If someone goes into Shapinsky Arms, what happens to the home that they left? Does it get sold, great? Does it become abandoned? Does it go to a family member? Does it get turned into Section 202? I mean, someone should be assessing if it can be done within the constraints of this funding stream, I would like to see somebody take it into consideration in the future.

Dir. Donahoe:

It's an interesting point. We have this 202 in Homewood and it might be an interesting example of that.

Mr. Ferlo:

Even if it's done as a microcosim.

Mr. Lieber:

We know--there is information particularly by the non-profit sponsor that gives us an idea of where these folks came from so we could easily take a case study and try to find that out.

Mr. Ferlo:

Obviously I'm going to vote in favor of this but I would like the URA to consider dealing with that either by way of a specific example, the Homewood 202 or --

Dir. Donahoe:

--We will do that.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

Also,

Bill No. 902

A Resolution entitled, "Resolution providing for the 1988 Federal Street Improvements Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$500,000.00 in Developer Private Investment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 903

A Resolution entitled, "Resolution providing for the 1988 Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$400,000.00 in Urban Development Action Grant Repayment Funds and Developer Equity Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff for Mr. Pollock presented**

Bill No. 1010

Report of the Committee on General Services for June 22, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 869

Repealing Resolution No. 652, approved July 16, 1980, entitled, "Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members."

—(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

Mr. President, relative to Bill 869, I would like my remarks brought forward.

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**Mr. Wagner:**

I would like my comments brought forward for the Record also.

**Michelle Madoff:**

Bring mine forward, too.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MESSRS. FERLO, WAGNER AND MICHELLE MADOFF'S  
COMMENTS ON BILL NO. 869 - WEDNESDAY, 6/22/88)

Mr. Ferlo:

It was only at 9:31 this morning that we received the legal opinion that I asked for. It's a beautiful document and I'm sure it will go down in the law library as a classically written legal opinion but if you get back through all of the five pages of legalese which it's great reading and I encourage to read it.

The letter from the Solicitor basically confirms what I had suspected all along is that this Council does have the power to abolish the Equipment Leasing Authority with one provisal and an important provisal nonetheless and that is that the outstanding debts would have to be retired. That was my observation and my belief all along. It's for that reason, and to this extent this bill does relate to the present bond issue under discussion. I feel very strongly that the Equipment Leasing Authority should be repealed and should be disbanded. I feel likewise in opposition to the credit card philosophy embodied in the Equipment Leasing Authority and the bond issue that will be discussed during this meeting.

The problem that I have is a very simple conservative fiscal philosophy and that is that we should pay as we go.

The Administration, since the days of General Services Director Yatch, should be commended for bringing the fleet up to par. I would argue that we probably a fleet as good if not better than any other fleet in the State of Pennsylvania and our Commonwealth. My simple concern is that in the future beginning this year that when we need to replace vehicles we do what has been done--my simple point is to return to what we have done in the past.

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA  
STENOTYPE REPORTER 1

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(MR. FERLO'S COMMENTS ON BILL NO. 869-Wednesday, 6/22/88)

Mr. Ferlo:

My simple point is to return to what we have done in the past, and that is within each year, the revenues that we receive, we earmark in appropriation of one, of three, of five million dollars for the direct purchasing of vehicles that are needed. The Administration has done a good job, and I would support their efforts at fleet management. We have done a lot of work in that area, and I would be the first to commend the Administration in that regard.

The management of the fleet is not the issue I am really dealing with. I am dealing more with the issue relative to the amounts of money that we spend and what really needs to be done. I find it inconceivable that, by way of example, we would go out and borrow \$7.9 million to purchase vehicles, and we are going to have to pay over \$1 million in interest for that 7.9. \$1 million would buy a heck of a lot of Pierce Tillers -- and hopefully we wouldn't be buying those -- but they would buy a lot of Omni's for the Council staff and a lot of other vehicles. It is a very simple point.

Quite clearly, we have reached a different period in this city, as we approach the late '80's and going into the '90's. The fleet has been brought up and great improvements have been made. There is a management philosophy, a philosophy in place regarding the fleet. I am only urging in support of the repealing of the Leasing Authority, that we not go out on anymore future bonds and that we begin to appropriate monies each year out of the budget to pay for the equipment costs, whether they be replacement vehicles or new vehicles that might be needed like the prototype that the Department of Environmental Services wants. It is a very simple discussion, and I am sure will be made complex by the questions to follow. Thank you.

(Deleted text.)

Mr. Ferlo:

The issue of particular purchases is really not relevant to the broader discussion I am initiating with the introduction of Bill 869. If one wants to argue about particular purchases, maybe at the point where we are discussing the 7.9 we can re-entertain that discussion. I'm really trying to frame a broader discussion here, a discussion that is more long range impact than the simple purchasing of particular vehicles, be it good or bad or indifferent.

One of the harsh cruelties of creating an authority is that you create an independent entity to some extent. This authority is much more of a financial mechanism, and I would argue is at least much more under the control of the Administration and this Council than other authorities who take on a life in an Administration or a reality all their own. So it is at least somewhat limited in that respect.

What I am saying, though, is that looking at this from a



multi-decade point of view, that there was a time in this city, coming out of the previous Flaherty Administration when he was Mayor, that there was a need for significant amounts of money to be borrowed in order to bring the fleet up to a decent existence. Michelle making the point of safety, I agree with her. I am saying that we must look now into the future and also reflect where we have been in the last 11 year or 12 years of this Administration. I am saying that because of the graces of having that money borrowed, whether it was under a general revenue nature or the creation of a specific authority, what we created was a sum of money. We didn't have to have an authority necessarily to create the sum of money, that was just advisable based on Mr. Turner's observation of paying off the purchase of the equipment, vis-a-vis the life of the equipment, in terms of our bond reading. I don't dispute any of that. I am only making the point now that we at least consider, and the reason why I introduced this was to set up or lay the foundation for the debate on the actual bond issue of 7.9 million, that we have gone through another window now, this is a new decade, we are going into the 1990's. And my concern is that we not continually borrow large sums of money increasing the indebtedness of the city, when I believe we have the revenues in hand out of a yearly tax base to pay for the necessary equipment costs. My argument to Mr. Turner is that if we proceed with the fund balance this year of \$10 million or \$11 million, or possibly even greater, that we consider rather than borrowing \$7.9 million now at this time and having to spend \$1 million in interest in order to do that, \$1 million plus, that we look over the equipment list and that we entertain purchasing the most critically needed vehicles. It may be the DES prototype, it may be Director Gaetano's fleet replacing pickup trucks for -- whatever you call it, Chargers, Blazers, excuse me. I am arguing a different type of discussion relative to the financial health of the city, not a debate on any specific purchase, which I am certainly willing to debate later. I am asking the Administration to consider a broader discussion on recognizing where we have been and the tremendous contribution that has been made by the Administration, and to at least consider in the future the possibility of a pay as you go philosophy in terms of revenues received and earmarking the monies that we need each year, rather than bond mark it and the cost of the bonds, and all the other things that happen with the kind of financial transactions you are proposing.

I don't think what I am proposing is so fundamentally radical or fiscally irresponsible.

Mr. Turner:

Can I comment? I disagree totally; there is very little there that I agree with. We cannot afford, quite frankly, to eliminate the Equipment Leasing Authority. It has been successful, we are all in agreement with that. We can't afford to eliminate it. There is no doubt in my mind that even if we could afford it, which we can't, if we could afford it, we all know what would happen. What would happen is we would get back on that same path that we were on before, namely every year we

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would cut out the necessary equipment and pretty soon we would be back in the situation where we didn't have backhoes, and we didn't have the proper dump trucks, and we couldn't salt the streets properly, and all of our garage trucks were in the repair shop. We have an item that has worked very successfully, that is financially sound, that is economically solid. I would urge Council as strongly as I can to leave it in place and to continue on with the program that we have in place. I think it has been very successful.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL)

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(MICHELLE MADOFF'S COMMENTS ON BILL NO. 869-Wednesday 6/22/88)

Michelle Madoff:

Mr. Ferlo, the reason, my understanding -- and if I am wrong, I can be corrected -- the creation of the Leasing Authority came about was probably for the same rational, which I disagree with and agree with your philosophy on the pay as you go, raise rates, that Council have the courage to raise rates and improve the water lines as we receive the money, as opposed to creating a Water and Sewer Authority with great debt.

However, in the issue before the creation of the Water and Sewer Authority, we had backhoes that were 15 year old that were out of operation all the time. We were spending more on rentals than you pay on that particular item in the debt service. We were paying rentals for automobiles for police, for whatever we needed, that would pay more than the debt service on that particular item. I believe that Mr. Yatch came up with the Leasing Authority concept not to create a windfall for somebody in the bond business, but to solve our problems. Now, if I am wrong would somebody correct me? And I will be very direct: Is it viable, now that the fleet has been brought up to par in some sense and the equipment in better condition, to now eliminate the Leasing Authority and to pay for items as you go? Is that a conceivable concept?

Mr. Turner:

Let me be very clear, because I also think this is a simple issue. I think it would be financially irresponsible to eliminate the Equipment Leasing Authority. I think that the issues on why it would be irresponsible have not been addressed. No one has asked my opinion, and quite frankly, I wish that this would have occurred prior, because just putting this on the table is potentially a problem in terms of trying to sell bonds.

So let's talk about some of the reasons why. Besides the fact that it has been successful, we are in agreement it has been terribly successful in terms of updating the fleet, if you eliminated the Equipment Leasing Authority right now, if you repealed the resolution and it died, you would immediately have the outstanding debt that would be due and payable. That is approximately \$10.5 million.

Ms. Botsford:

The outstanding debt is 22.

Mr. Turner:

The outstanding debt that does not have any fund, the net outstanding debt.

Michelle Madoff:

Unfunded?

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Mr. Turner:

That's right, that there are no funds available for. In addition, you would then have to pay approximately \$7.5 million for the new issue. So what you would have is an \$18 million financial impact on next year's budget. And I can tell you --

Michelle Madoff:

Give me that again.

Mr. Turner:

Approximately \$18 million. I can tell you categorically without any hesitation that is not a number we can afford. It is very simple.

There are also many other reasons as to why you don't want to do this. But I think that in and of itself tells us alot. I think it is a very good policy, quite frankly, to set up a mechanism whereby you pay for the equipment over the life of it, and that is exactly what the Equipment Leasing Authority does. It has been very successful, it has saved us millions in the past in terms of our ability in the past to arbitrage, and I would strongly urge this Council to keep it in existence.

Michelle Madoff:

I want to continue, if I may. This would not preclude Council as a body getting together and looking at all the purchases that were authorized to Dawn Botsford, Director Botsford, and to determine that, indeed, as Mr. Ferlo has so eloquently stated and many of us stated long before he got here, that some of the expenditures are, indeed, unnecessary. Some of the cars that are going to staff people that don't need them, perhaps the caliber of car going to staff people that don't need them, and various others. We could look at each item in each department and determine whether directors who get as a perk a car, as opposed to getting an increase in salary, could be eliminated because -- and one of the points I have made repeatedly -- it isn't just the automobile that we give them, it is the debt service on the automobile, and it is also the fact that we give them free gas, free service, free insurance, and it is not necessary. I have never had any support for that on Council. Unfortunately, you don't have a choice, when department heads say, "We need to purchase X item," and Council has approved that item as a body, you are stuck with that purchase. Am I correct?

Ms. Botsford:

Well, this is a different procedure than that, but in that sense what you have said is correct.

Michelle Madoff:

So if Mr. Ferlo wants to be responsible, I think he does,

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and he will support me -- I have been here, a lone voice in the wilderness, for a long time -- Mr. Coyne, and Mr. DePasquale, Mr. Lyons, Mr. Wagner and the missing links wish to support the concept of being frugal and being responsible, then let's start to cut back on the surplus, the free bees, the excessive give aways, just because you like your friends and it is a good old boys club. I don't think you make a scapegoat the fact that a responsible entity, the Leasing Authority, is operating in a manner which has really allowed people who are working so they won't be injured to have the right equipment, because they get hurt when they fall out of backhoes or operating them, or out of cherry pickers, or what have you, the high equipment, to be responsible, to pay it over the life, and it has been a working operation.

I can tell you that year, after year, after year, before the Water and Sewer Authority was created, Mr. Wagner opposed it with me, I would go to the Finance Chairman --

The Chair:

Please, we are on the Leasing Authority, not the Water and Sewer Authority.

Michelle Madoff:

This is on the Leasing Authority and why it was created. It was during the time the Water and Sewer Authority was not created, we had situations where every year I would plead, "Can we have some equipment?" You see, I am on the subject. "Could we have equipment? Could we have the proper truck? Could we have the proper backhoe? Could we even have picks and hammers or hoes, brooms?" The Water Department, because that was the committee I chaired, so I can only use that as an example. And they didn't get them. And one year I got a bone of \$50,000.00 thrown to me, and the Water and Sewer Authority was created because we didn't buy the equipment, we allowed planned obsolescence. And if you want more authorities created, vote against this or try to get it removed and we will be in a disaster situation in the city.

(Transcribed by Helen L. Kriebel)

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Mr. Ferlo:

Just in conclusion I disagree totally with the observations of the Director. I believe strongly that this Council or any future Council whether I'm on it or not, as well as the Administration. We have the upper hand. It's the Administration basically who designs the budget. If they want to have payroll and personnel, they'll have payroll and personnel. If they want money spent on the appropriation of equipment, that's something that they should come to the table for and say, "Look, we have all these management people in place and it's our determination that this year these amount of vehicles need to be purchased and new". That onus responsibility is on an administration to come to the table during the year-end budget debate and make it a line item just as much as you defend spending multi-millions of dollars for the Zoo or whatever else it is that you want to spend on. That's something that's a discussion that comes to this table from the Administration.

Mostly Council, I will not say is a rubber stamp but Council's impact on a yearly budget is far less of an impact even though we approve it than all of the mechanics of putting that budget together on the part of the Administration, the department director or whatever your priorities are. And in that regard I disagree with you and I believe that this Council would spend out of all the revenues received, \$200 million plus, \$5 million a year for the appropriation for equipment. Thank you.

Mr. Wagner:

I would like to make a comment just prior to voting.

I'm going to vote against this even though I do have some concerns with the Leasing Authority. I'm not going to vote to repeal this but I'd like to state my reasons:

Number One, I agree with the philosophy of the Leasing Authority and if you were to make an analogy or comparison to an individual, to one of us or anyone for that matter in the City of Pittsburgh, the majority of people when they go out to buy an automobile finance the automobile.

The majority of people if they were to go out to build or buy another large piece of equipment and finance it and generally they finance it over the term of that piece of equipment, the same theory is applied here. It's just that when this was created the City was so far behind in terms of the shape of the equipment that we had that we had to finance it. Now we've gotten into that mode of financing and we're

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continuing to do that. If ever there was a large sum of money to come about, maybe we could go out and directly purchase the equipment. However, when it comes to buying dump trucks and fleets of cars and police vehicles and radios and large quantities of equipment, it's very difficult to take that out of the General Fund. So consequently we have to go out a bond issue and with a bond issue there is an interest rate built in and it's paid over the term or the life of the equipment. What that amount is, is not a real dollar because the future dollars are always worth less than the present dollars. So the interest rate built into this is not as great as it seems due to inflation.

Let me continue. So therefore at this point in time in 1988 financially I agree with the philosophy of borrowing money to buy equipment, large pieces of equipment.

One of the problems I have with the Leasing Authority I have discussed privately and publicly. That some purchases are not discussed or debated in a public forum and I think that relates to some of the structure of the Leasing Authority and the best example I can give is the purchase of the portable radios that we're now in the process of buying or going out to bid on for the second time. It was never discussed within the Leasing Authority or at this Council if Council would not have had a post-agenda meeting.

I think there is a great need to have greater structure within the Leasing Authority on minutes, regular meetings and agendas and that at this point does not occur. I know that factually and I've researched it. There are not regularly scheduled meetings as there are with other authorities within the Leasing Authority. In addition, the pre-agendas are very brief and some items are never discussed even though we're going out to bond issue on them, for instance, the radios. So I am not going to vote to repeal this ordinance, however in the future, if I don't see regular structured meetings, pre-agendas, minutes of the meetings, I would entertain the thought of doing this somewhere down the road but as of today I will not and I am hopeful that somehow or another that whole agenda process within the Leasing Authority will change in the future.

Michelle Madoff:

I think you're absolutely right Mr. Wagner in that the radios were an absolute disaster. You and myself prior to your getting here have all been complaining that the police officers have not had radios but I recall my very first bill on Council and that was to get motorbikes for police officers. They couldn't pursue because the vehicles were shaking. So your point is well taken, however, I can say categorically that the issue

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of purchasing them and buying them through the Leasing Authority had no impact on what actually happened. There was a foul up--that could have happened whether it was purchased through the Leasing Department, whether they were purchased directly from the Police Department, Safety Department or any other vehicles whether it's the General Fund or what have you. And I also might point out that prior to the creation of the Leasing Authority, the same kind of purchases were made in general obligation bonds. The equipment went to the general obligation bonds and we were at a point at one time we went out on a \$17 million bond and the interest rates were 20 percent. This way it's tight, it's concise and you look for a window and you go out--I understand that the interest rate may be six percent. Last week we could have gone out at five and one-half percent; we are irresponsible if we don't move that very quickly.

Mr. Ferlo:

Your observation about the analogy of purchasing a car. When a working class person goes out to buy a new car, he or she has to finance it because he or she does not have the money in the bank to pay for it and that's why he or she has to go out and incur the interest debt and all the other costs. My argument is that we have reached the point in this city where by way of example the \$7.9 million bond issue, instead of doing that we should spend \$4 million which we have to spend on the purchasing of equipment. Thank you Mr. Wagner.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1



**The Chair:**

If you are in favor of the bill, vote aye. If you are against the bill, vote no.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

AYES 1                      NOES 6

VOTING NO:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 914

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation, payable from Code Account PR 87-02, 4-10-10-0002-87, Index Code 320911, Resurfacing Park Roads, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 915

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation, payable from Code Account PR 88-02, 4-10-10-0002-88, Index Code 320929, Resurfacing Park Roads, Department of Parks and Recreation and for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff presents**

No. 1011 Resolution that this Council hire William F. Foley, an independent, professional consultant with experience in fire apparatus, to evaluate the new firetrucks and present Council with recommendations and solutions as to whether we need more training or

modification to firetrucks, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1001-2, Salaries, Wages, and Services of Council.

Which was read.

**Michelle Madoff:**

Mr. President, you may recall at one of the meetings I sort of tried to --

**Mr. Ferlo:**

I second the resolution for the purpose of discussion.

**Michelle Madoff:**

I don't know that it needs one but that's alright.

There was a statement made here with reference to having the fox watch the chicken coop when it was suggested that we go to the Underwriters' Lab. I took some time to check that out; I spoke to Underwriter Lab people and to other people. I appears, for example, that if any member of this Council wished to manufacture a toy, they would go to Underwriter Lab, pay them to evaluate the toy. If that toy were to hurt a child, the liability would not only be on the manufacturer but probably revert back to Underwriter Lab, because if they approve a product, they are liable. So although, Mr. Wagner, they do the evaluating for a fee paid for by the person who wishes to manufacture or put out a product, nevertheless, it is a professional, independent agency.

Having checked that information, I then checked further and I've given the same information to Mr. Jacoby, Fire Chief Leahy is away, but to other people in the Safety Department. After much searching, the only person I could find -- I'm willing to amend my bill to say

independent consultant as opposed to naming the person. But the reason I named the person specifically, this gentleman is a professional, he's had about 50 years in the field of dealing with fire equipment, particularly the kind of equipment, firetrucks, over the years and making amendments to those trucks, all kinds of fire equipment. He's dealt with all kinds of cities. As a matter of fact, he was very surprised to find out about how hilly Pittsburgh was; he just assumed that we are riverfront and that the riverfront would be flatlands and therefore these firetrucks should not present problems. His initial comment was that perhaps we need training but as he discovered that we had hills, he thought that we might need some modifications to the vehicles.

As you know, Mr. Ferlo originally brought this to Council's attention, although all of us, I'm sure, had read what was going on in the media and we don't get informed by the Fire Department when there are accidents. This is such a potentially costly item to the City, both in lives and cost of damages. But the issue shouldn't be who's right and who's wrong, but we should have an independent professional come in and say do we need more training, do the trucks need to be modified, and if so, how should they be modified. In other words, let's not just address a problem by raising it; let's find a solution to the problem.

I think this gentleman could be an answer for us to come in, evaluate, and perhaps give us a solution so that we won't have the problem. Mr. Ferlo, I think you did ride one of the trucks and had a vision problem. He could tell us what specifically could be done.

I'm afraid if we leave it in the lap of the firefighters who got together and the Administration got together and said,

"Yes, there is a problem and we're going to solve it", that we don't really have professionals to do that kind of solution. I don't think it's going to be particularly beneficial to go back to Pierce who designed the trucks. It's like saying to the butcher, is this a good cut of meat? Is he going to say this is a bad cut of meat?

I think we need somebody who is an independent person to go back and say specifically what has to be done to make the trucks acceptable for use in our terrain, whether it needs modification, training, or both. And that is why I'm recommending this person's name. If anybody has anybody else, I'm willing to withdraw the name. I am not married to my suggestion. I would have put in the resolution, as I said earlier, to hire an independent consultant. I don't think there is another one that we could find rapidly and he is beyond reproach.

**Mr. DePasquale:**

Mr. President, as Chairman of Public Safety, I've seen these new tillers and I don't need any consultant to tell me they're not adequate. They should be taken off the street. They don't fit in the engine houses; they can't maneuver our narrow streets. The operator of the tiller at the top cannot see the corners, cannot see the turns, and it's a hopeless situation. No one has to insult and tell us that situation exists; we know it exists. I know Mr. Ferlo saw it and other Councilpeople did. I think it would be a total waste of money.

**Mr. Coyne:**

Mr. President, after speaking with Director Cannon of the Public Safety Department and with union representatives, I think they're doing a good job right now of working out the problem among themselves. Pierce is

coming in to consult on the truck and I think the union has consultants coming in. I think Council's more appropriate role has to do what Mr. Ferlo did and that is to bring it to the attention of the public and try to get the ball rolling. And now that I think Council does have the ball rolling, let the Public Safety Department and the union officials work this problem out amongst themselves and if they can't come to an equitable solution, then maybe Council can try to step back in again. But I think right now this third consultant would be unnecessary.

**Mr. Ferlo:**

Mr. President, on behalf of this whole issue, we asked you as Council President to participate in a discussion and meeting with the Administration officials and the union officials and at some point prior to the vote on this bill I'd like an indication from you regarding the content of that meeting and your participation in it on behalf of Council.

In terms of this specific bill, though, the reason why I can't support it at this time is that the people that I want to focus attention on is the Administration. It's the Administration that has gotten us into this fiasco regarding the purchase of this truck and, frankly, it's the Administration that will have to try to get us out of this fiasco.

In that respect, I think this resolution, although well-intentioned, diverts attention away from the focus and the focus right now should be putting pressure on the Administration to resolve this calamity in conjunction with the people who have to drive these vehicles, including the union representatives, and if there's one entity that needs to become involved financially and from the point of view of their own reputation, it's the Pierce Company itself.

I have sent letters out to the City of Columbus by way of example urging them to not purchase tiller trucks from the Pierce Company, a bid that I believe a couple days ago they turned down following the receipt of my letter. I'm not suggesting that they did it solely because of my letter. I'm suggesting that I as an individual Councilmember will do all in my power as I have in the case of Columbus, Ohio, as well as other communications to other cities purchasing equipment. I will make sure that these cities will not purchase the new Pierce tiller.

I have sent a letter to the Pierce Company on Friday requesting two things from them; one, that they remove the brochure from their circulation which has the City of Pittsburgh in the background and the new so-called beautiful Pierce tiller truck in a brochure promotional format. I think it's a disgrace that our City is being used as their first client for this equipment when it does a disservice to our City as well as their equipment. I've asked them to discontinue the promotion of this brochure.

Secondly, I've asked Pierce themselves to be responsible financially for any redesigning or any re-engineering of this vehicle and not for the Administration to come back to this table because if the Administration comes back to this table with an appropriation to spend money to redesign these vehicles, then I'm going to demand a full investigation on how these things were purchased and a rehashing of all the points I've brought up in lengthy debate previously.

But, at this time, I cannot support Michelle's resolution for an independent consultant because I think there's a process and a plan afoot and I don't want to do anything that diverts attention

away from the responsibility and culpability of Pierce Company to correct its grievous errors.

**Mr. Lyons:**

Mr. President and Council, we all know that there has been a faux pas here in the purchase of the trucks. I feel that Mayor Masloff has come to grips with this problem and the Administration is trying to resolve this dilemma, and this would only, in my opinion, mitigate the position of the Administration. I feel that I don't think the Administration should be interfered with at this time while they're trying to resolve this dilemma.

**Mr. Wagner:**

Mr. President and members of Council, in regard to this resolution, the taxpayers of the City should not be paying for any study to evaluate the purchase of equipment of which we're paying almost \$2 million for. We're paying enough money out of taxpayer coffers and we do not need to pay a consultant. I indicated last week to Councilwoman Madoff, you cannot call Underwriters' Laboratory and get them to do a free study of any type. You must pay Underwriters' Laboratory just as you must pay an individual to do a consultant study. I suggested at that time that we contact the insurance company that insures this company for product liability insurance and find out what their opinion is and what type of test or evaluation they have performed on the equipment.

I would further recommend that there are other agencies out there. The National Fire Protection Association and Mr. Ferlo is right on target, the company itself. If the company doesn't want to respond to inquiry about the safety and dependability of their equipment, maybe we shouldn't be buying their equipment.

It's that simple. Therefore, if anyone should be providing information validating that that equipment is good equipment, that is safe equipment, it should be the company, it should be the insurance company that is insuring that company and we should not be spending taxpayer dollars to go out to independent studies.

#### **The Chair:**

You asked me last week to meet with the Mayor and schedule a meeting. I did that. We met Friday with representatives from the Local 1 Firefighters with the Administration. I think it was a very productive, cooperative meeting. The Administration listened to the complaints of the firefighters, they had a number of them, they had them well documented. The Administration agreed that these were faults, that they would correct them. Pierce is in this week going over some of those problems. There will be another meeting July 18; we will all meet again. This time Pierce will meet with us. At the meeting was representatives from the firefighters, of course the Administration, and myself this past Friday. On July 18, when we meet at that time, there will be representatives from the manufacturer and we will go over the truck physically with them once again. This meeting was not physical but this time will go over the truck with them.

I think that it is moving on the proper course at this time. I don't believe that we need a consultant. I think the best consultants we could possibly have design our fire trucks are the people that use them every day, and that's our firefighters. Unfortunately, this truck was designed without very much input from the people that actually do the driving, do the tillering, that use these trucks. But in the future, we are

guaranteed from the Administration that they will be fully involved, they will be fully involved in the retrofitting of these. I think that we should wait now and let's see what happens after Pierce is in here this week, I believe they're going to be here much of the week, they'll be back to meet with us again on the 18th with their engineers, with the engineers of the company that makes the ladder. We'll have two different companies here to go over it physically to see what we can do and then I think we should discuss it again.

But at this time, I think it's moving very rapidly. No other trucks will be going into service, they're not equipped right. This is what we were told; they're still going to train on these trucks but no other trucks will be put into service until they are all made safe.

#### **Michelle Madoff:**

I think what has been said today needs to be clarified because people may not realize that this is not a resolution that is binding on the Administration. It is only an informational resolution to give them a source of where they might get a solution to the problem. I think it's unfortunate that we're sitting here laying blame.

I didn't say a couple of things that I would have said and I think unfortunately I've been forced to say them. At the time that these trucks were purchased, I was head of the Committee on General Services and I made a vow, I gave my word to the fire union that I would not allow the equipment to be purchased without their input. The union leaders met with Dawn Botsford, Department of General Services, and approved those trucks. They came to me and said, "Okay, it's fine; now you can vote on it."

What I'm saying, and I think

everybody is missing the point, we're all in agreement. I'm even in agreement with Mr. DePasquale. The issue is not at this point that we have a problem and that somebody is trying to resolve it. The issue is, let's stop laying blame and let's look to the future on proper solutions. I don't really feel very confident that Pierce who has got to protect their reputation may just come in and do a band-aid approach or a patch-up approach that couldn't be done better, perhaps, by somebody who is an independent consultant who has had 50 years working with this kind of equipment who might come in with some unusual or creative or inexpensive or something meaningful that's going to save lives in making a suggestion to improve these trucks.

Furthermore, I think it's unfortunate that a member of this Council would take it upon themselves to contact other cities and say, don't buy a product, if we, the firefighters, picked the product the City designed through their own specs, the firefighters approved those spends. And if for any reason that should be proven in a court of law, I think the person who is saying that that other city should not buy the product when the product was built to specifications, might find himself in a very awkward situation from a libel point of view.

It would seem to me that we ought to stop fighting and stop putting blame and get the best we can to come in and help the firefighters, help the members of this Council like Mr. Woods who has gone to meet with the people. I don't think it would hurt at \$100 an hour, \$600 per diem, when we spend \$5 million on consultant fees in Construction and Engineering that we barely need, to have somebody come in and make some constructive suggestions that we as lay people could not possibly think about

because he would know the whole range, the spectrum of what could be done, focus in specifically on the problems, verify, in case we go to litigation and indeed there is a problem, how the problem can be solved, and maybe it can't be solved, maybe he'll say, give the trucks back. And maybe the company would say, "Well, we built them to specs." And the specs were designed by our Fire Chief. And to my knowledge, the firefighters approved those specs. And if that is the fact, and I believe it to be the fact, I think we ought to wait until we have an independent review before we put our noses into something that might get chewed off.

There's no doubt that something is wrong with the trucks. Everybody knows that. We wouldn't have had four accidents. The firefighters are not deliberately having accidents. Do we need more training? Do we need to redesign them? And if we need to redesign them, which I believe is probably one of the factors, in what way should they be redesigned? Should they be redesigned according to the people who built the equipment or should they be redesigned with something entirely different? And we're never going to know that until we have an independent expert come in and tell us what should be done. I think we're being very foolish not to make that as a recommendation.

Anticipating this kind of stonewalling in Council, I already have forwarded this information to Mr. Jacoby and to the Safety Department, as I mentioned earlier, and I have confidence that they might call on this person in any event.

#### The Chair:

I just want to clarify something and I'm going to make some statements and then we're going to drop this issue

because things are moving in a proper direction now and by Council to keep bandying this subject around, it just might throw it off track.

To begin with, the only thing the firefighters said is what they wanted was tiller trucks. That's exactly what they said, not how they want involved in the specifications. They said they wanted tiller trucks. "Please buy us tiller trucks; you need them to get around these narrow streets of the City of Pittsburgh."

And as far as any other Councilmember writing any other city, that is their prerogative. If I want to write Alaska and tell them that I think so and so is a bad product, that's my prerogative. I can do it as long as I don't say that I'm representing the entire City of Pittsburgh."

And the best consultants for these trucks are the people that drive them, just like the best consultant for a person that drives an automobile is you because you drive it. You tell an engineer, here's what I want, and that's up to that engineer to come in and do it for you. And that's exactly what's going to happen; the firefighters on July 18th, and they're moving now with Pierce or they're telling Pierce, here's what we need, here's what we want, you have the engineers, you have the technique, you design it, you have the technology.

Please, let's move from this point on. We will not discuss this subject any longer in this Council, please, until after the July 18th meeting.

**Michelle Madoff:**

I withdraw my bill.

**The Chair:**

Alright.

Is there any other business to come before?

**Mr. Wagner:**

Mr. President and members of Council, a couple weeks ago we passed a floor motion to have a public hearing on Strategy 21 funding. I don't know, Mr. President, if you've set the date yet but whenever you do, I'd like to invite the following people: Ray Christman who is head of Economic Development for the Commonwealth of Pennsylvania; Director Lurcott, Director of Planning; Executive Director Donahoe of the URA; Chuck Kolling, who is our lobbyist in Harrisburg; and also, Mr. Mark Zabierek since he has played an important part in the lobbying effort in Harrisburg.

I'd also like to make a motion to televise that public hearing, and just prior to voting on that, I think there has been some discussion this past weekend about one of the four projects, the Riverside Project, in the media where we have not received \$4 million in funding that was committed over two years ago by the Commonwealth of Pennsylvania.

We have problems with other projects; one in particular is the Buhl Science Center. We have to resolve this lack of funding coming to the City of Pittsburgh as soon as possible to get these economic development projects moving. So, I make a motion to televise the hearing.

**Michelle Madoff** seconded the motion.

**WHICH MOTION PREVAILED.**

**Mr. DePasquale:**

In light of that, Mr. President, could we speed that hearing up?

**The Chair:**

Mr. Perry, what we'll do is try to coordinate with Mr. Christman. Could you please call him and whenever he can come to our City, we'll have the hearing. We'll try to fit his schedule because he has to come in from Harrisburg.

**Michelle Madoff:**

On another subject, Mr. President and members of Council. All of us have gone through a very hot spell; those of us who may not have air conditioning probably felt it more than others. You could fry eggs on the sidewalk. I don't know if anybody read the article in Sunday's Press; it's a reprint of a Washington correspondent article with reference to the greenhouse effect. I just want to read what one of the scientists says: "We're facing chaos that will be like global nuclear war."

In light of this, the reason I'm bringing this up is that — I don't want to read the whole article but it does say that the greenhouse effect is here, that people have thought well, someday it might happen but we're really not sure. There seems to be a concensus among top scientists that the time is now.

The reason I brought this up is that some time ago Equitable Gas contacted my office to ask whether I would be a go-between between the City and Equitable to do a pilot project to get pollution out of some of our automobiles which contributes to the hydrocarbons by using natural gas which is, as you know, some of our utilities have surplus of energy. And a grant has been applied for

by the Department of General Services. There are many, many cities competing; however, there will only be a couple of awards made.

The reason I point this out is that this is a subject we're going to probably have to deal with and somehow or another it will probably end up in this Council repeatedly and I just want to alert my colleagues that they might want to get some education. We might want to have somebody come in and speak to us. We are an industrial community even though our mills have cut back. We don't have the same automobile problem that California has, but we're part of the same world and we do have some problems. We're going to have to start thinking in terms of long-term, of going to hydrogen for our automobiles, going to natural gas, perhaps, while we can, solar cells. It would be important, I think, that we start to think about this long-term problem because it isn't going to go away and we may see droughts and we may see greater heat situations, temperatures next summer and the summer after. It's probably going to be a real major problem that is here before we thought it was going to be and we're all going to have to deal with it in an appropriate manner.

One of the major factors is going to be to use our natural fossil fuels in a clean manner. We don't have to stop using coal; we just have to use it cleanly. And of course we're going to need the technology applied.

Another reason I mention it is that it might be a source for a new industry for this community. We have the University Center. As I said, there already is great public concern. Some city is going to be the center for developing research and developing techniques which will help to reduce the greenhouse effect, if it is indeed not too



late. We ought to start thinking in terms of educating ourselves, working with the universities and perhaps looking at this problem as a source of employment and solving the problem as a new industry for this community.

**The Chair:**

Michelle, if you recall in 1982 I went to a number of symposiums on natural gas about fueling our own vehicles here. Then Director Yatch, I tried to get him to do it and instead he went with propane, which was a waste. Then I gave the information to then Director Jacoby and it fell on deaf ears again. So, I know what you're talking about; I'm very up on it. I have records that deep on it. I've tried to convince this Administration for a number of years to do it; maybe now if they read the same article they'll do it.

**Mr. DePasquale:**

Mr. President, on another subject, but I did want to add to the discussion on Strategy 21 money that I admire and respect John Robin but I don't agree with him in regard to the Riverside Project. Therefore, I said we should try to speed up that hearing.

My issue is on a similar problem that Mr. Ferlo has been very active with in the Bloomfield-Garfield Organization in regards to vacant and vandalized housing which they'd like to see torn down, and I hope they're very successful.

For some time I have said that the Uptown section is a disgrace. The 2200 block and the 1500 block, and there's a lot of homes in there vacant and vandalized that should be torn down. Mr. Imhoff has premised me that he's going to look at the situation some day this week.

Right around the corner on Pride and Colwell, for two years I've been urging the Police Department to do something about certain addresses there and nothing has been done. As Chairman of Public Safety, I thought I had some clout and I might get it done, but as of today, nothing has been done. However, the good Lord intervened over the weekend and No. 5 Pride Street, which was a house of prostitution, was burned out. No. 3 next door was burned out and No. 7, which is a dope-crack place, has been burned out also. Thank God for that. 1512 Colwell Street is a house of prostitution. I say this for the interest of the press; they've been aware of it also, incidentally. 1502 is a heavy numbers place.

Now maybe now that the addresses are out in the open, perhaps they may be induced to close and sell. I remember some years ago there was a steal on 5th Avenue. There's an apartment out there now approximately around Wilkins and somebody reported there was a steal there and within a week they were building an apartment house there. So until the complaint was made, nobody did anything about the steal. So perhaps, hopefully, something will be done about these places.

**Michelle Madoff:**

On another subject; this is a very quick item. I had a comment made to me which I thought had some great significance for this Council. The summer jobs programs which has become an issue and the fact that we don't get time enough to hire people and that we pay minimal salary so that what we do is freeze out children who come from deprived homes but perhaps not deprived enough to be able to get these jobs. The comment was made to me that there are many, many jobs in the private sector that pay minimum wage and those jobs

are going vacant; they're going unfilled because people don't want to take those jobs. Why would they take the summer jobs that we offer and not take the summer jobs that are out in the private sector.

It would seem to me that it might be appropriate for us to find out from Melanie Smith if there are any statistics available from the Unemployment Office as to how many jobs are available for our youth, why those jobs aren't being filled, and what the stumbling block was in their getting the jobs; is it carfare, is it appearance, is it skills? And could we have some kind of intervening kind of program that might make, for example, carfare available or a training program, so that the jobs in the private sector could be filled and, indeed, that these jobs in the private sector exceed the number of jobs that we provide for just a few weeks in the summer while these jobs could be all year round, after school, weekends. It would be interesting to me to find out what the actual statistics were and if indeed that is a factual point that was made.

I wonder whether Mr. Perry could write a letter to Melanie Smith asking her if she would contact the unemployment agency for Pittsburgh, people applying for jobs, to look through the records and to see what kind of jobs are available - are there hamburger tossers in fast food chains - menial jobs that are paying the minimum wage and could those jobs be filled by the same youngsters that are applying for our summer program and could they have jobs on an on-going basis and are we deceiving ourselves. I'd like to know what the real world is. Are there jobs that people aren't taking because they don't want to work? Are they not taking them because they don't have carfare? What is the problem so that we can start addressing a real problem instead of an

imaginary one?

**Mr. DePasquale** moved to excuse **Mr. Pollock** for absence from the meeting.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Lyons:**

Mr. President, I move to adjourn this meeting and meet again on Tuesday, July 5, 1988 at 10:00 a.m.

**Mr. Wagner** seconded the motion.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Tuesday, July 5, 1988

No. 26

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Tuesday, July 5, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne:

Mr. President, the first resolution I have deals with the Emergency Hunger program, and Mr. Perry, I would like a copy of this sent to our local representatives of the United States Congress.

##### Mr. Coyne presents

No. 1061 WHEREAS, June 27, 1988 marked the final distribution of surplus food ending the surplus food distribution program; and

WHEREAS, the surplus food distribution program is a Federal program on which many people in Pittsburgh depend to feed their families; and

WHEREAS, Senator Edward Kennedy has sponsored Senate Bill 2123, The Emergency Hunger Relief Act, that would reauthorize the food distributions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, does hereby support The Emergency Hunger Relief Act and urges our United States Senators and our local Members of the United States House of Representatives to support SB 2123.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

For my next resolution, I'd like to have Mrs. Barbara McCauley, a member of the Community Advisory Committee, the Pitt Treatment Evaluation Unit to come forward, please; Mr. Bill Kaelin, who is the Co-Chairman of the Advisory Board to the University of Pittsburgh Study; and Gerry Tama who will be representing the Hemophiliac Foundation.

**Mr. Coyne presents**

No. 1062 WHEREAS, Acquired Immunodeficiency Syndrome or AIDS is a disease that has been diagnosed in more than 66,000 individuals across the United States and in 183 individuals here in Allegheny County; and

WHEREAS, it is estimated that many more individuals have been infected with the Human Immunodeficiency Virus or HIV, the virus that causes AIDS. Estimates are that between 1.5 million and 3 million individuals across the Country and between 3,000 and 8,000 individuals in Allegheny County are infected with HIV; and

WHEREAS, Pittsburgh has become a regional center for AIDS research; and

WHEREAS, the Pitt Mens Study, the Pitt Treatment Evaluation Unit, and the Transfusion Recipient Aids Treatment Study, are three of the ongoing research studies currently being conducted in the City of Pittsburgh; and

WHEREAS, this important research would not be possible without the time, blood and energy of the nearly 3,000 individuals who have volunteered to take part in these studies; and

WHEREAS, the volunteers to these studies represent the wide range of Pittsburgh's citizenry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends all of the volunteers and those close to them who have given so much of themselves for AIDS research so that we might better understand this disease; and

BE IT FURTHER RESOLVED, that this Council recognizes the work of the Pitt Mens Study, the Pitt Treatment Evaluation Unit, the Transfusion Recipient AIDS Treatment Study and all of the area research groups dedicated to the study of AIDS.

**Mr. Coyne** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Ms. McCauley:**

On behalf of the organizations, I would like to read a brief statement that we've prepared.

Thank you, Councilman Coyne and Pittsburgh City Council, for this acknowledgment of over 3,000 volunteers who are actively engaged in close cooperation with the University of Pittsburgh and its Research Program on HIV infection. It is your acknowledgment that best reflects all that is positive about the spirit of Pittsburgh. Here in this City we have a unique and envied example of how volunteers from all walks of life can provide the cooperative conduits between government, academic and community agencies.

What this proclamation

demonstrates is that in Pittsburgh we care. We use this terrible disease as an opportunity to give of our compassion, our understanding, our time and dedication. Pittsburgh has demonstrated that as a community we are eager to learn the facts and not allow ourselves to be paralyzed by hopelessness or fear. It has been said that the level of civilization of the community is measured by how it responds to the least fortunate citizenry. Pittsburgh, our City, measures at the very top of that yardstick.

Again, on behalf of the Pitt Mens Study, the Pitt Treatment Evaluation Unit, and the Transfusion Recipient Aids Program, we express our deep gratitude for this proclamation.

**Mr. Kaelin:**

I, too, would just like to say thank you for the proclamation and appreciation to the many study volunteers for all their work. Thank you

**Ms. Tama:**

On behalf of the volunteers and those close to them and the University of Pittsburgh's AIDS Research Programs, I'd like to thank you as well.

**Michelle Madoff:**

I think that the work you're doing is outstanding. You saw the problem before others did. But I think it's important to point out that this is not just a disease of homosexuals; it is a disease of all people. In some countries it did not start with homosexuals; it started with heterosexuals and we can't say it's a disease that some people may not approve of their lifestyle but it is indeed a disease, like any other disease, that we'd better all address and it is reaching epidemic proportions.

Thank you for all the work you're doing and I'll continue helping you.

**The Chair presents**

No. 1063 WHEREAS, the Pittsburgh Charity, Greater Love Outreach, has faithfully dedicated its resources to aiding the hungry, the helpless and the homeless in our City, and to assisting the distressed with food and counseling and support; and

WHEREAS, Greater Love Outreach Ministry and Charity have dedicated their total resources to helping young pregnant mothers in distress, and to persons humbled by the throes of drugs and alcohol abuse; and

WHEREAS, Greater Love Outreach has sought to remain a 24-hour crisis intervention hotline for our City's needy and uprooted.

NOW, THEREFORE, BE IT RESOLVED, that we, the Council of the City of Pittsburgh, do hereby proclaim the day of July 2, 1988, as GREATER LOVE OUTREACH DAY in this great City of Pittsburgh, and do heartfully wish them continued success in this and all other charitable undertakings.

**Mr. Coyne presented**

No. 1012 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Reconstruction of the Burgwin Playground at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account CDEC 87-30.

Also,

No. 1013 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Reconstruction of the Tustin Tot Lot at

a cost not to exceed \$40,000.00, chargeable to and payable from Code Account CDEC 86-55.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1014 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Deputy Director Louis G. DiNardo, Assistant Chief Mark Matorano and himself to attend a special Computer Aided Dispatch Consortium meeting for Pennsylvania members, in Carlisle, PA, July 6, 1988, at a cost not to exceed \$156.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1015 Resolution transferring the aggregate amount of \$200,000.00 from various Code Accounts to Code Account 1103, Miscellaneous Services (Index Code 110304) Department of City Planning. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1016 Resolution granting unto Mr. Michael Kress of 909 Smithton Avenue, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, four 10-Foot planters on a portion of the sidewalk of Smithton Avenue in the 27th Ward of the City of Pittsburgh.

Also,

No. 1017 Resolution granting unto Mr. R.W. Mike Glenn of 51 Woodland Road, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense an electrical vault on a portion of the sidewalk of 1111 Penn Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1018 Resolution granting unto Mark Rayner, Cafe Allegro, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an area for benches on a portion of the sidewalks of Diamond Square and South 12th Street in the 17th Ward of the City of Pittsburgh.

Also,

No. 1019 Resolution granting unto 900 Fifth Avenue Building, its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an electrical vault in a portion of the sidewalk of Fifth Avenue in the 1st Ward of the City of Pittsburgh.

Also,

No. 1020 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the conversion of Series Lights to Multiple Lights at a cost not to exceed \$93,776.63, chargeable to and payable from Code Account PW 85-05, Street Lighting Throughout the City.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 1021 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for

the operation and implementation of a "Citywide Food Distribution and Services Program" at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services (Index Code 110304) Department of City Planning. — (SPONSORED BY MR. FERLO)

Also,

No. 1022 Resolution providing for an Agreement or Agreements with the Bloomfield Garfield Corporation for professional services in connection with their housing related programs at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (Index Code 110304) Miscellaneous Services, in the Department of City Planning. — (SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Lyons presented**

No. 1023 Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$13,972.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Elizabeth Seton Center (CC-88-27).

Also,

No. 1024 Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program in an amount not to exceed \$22,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program -

City Council - Jewish Community Center (CC-88-28).

Also,

No. 1025 Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the Unemployed in an amount not to exceed \$40,868.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - United Jewish Federation of Pittsburgh (CC-88-29).

Also,

No. 1026 Resolution providing for an Agreement or Agreements with the Jewish Family and Childrens' Service Center to provide administrative support to the Agency in an amount not to exceed \$5,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Jewish Family and Childrens' Service Center (CC-88-30).

Also,

No. 1027 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility at a cost not to exceed \$4,648.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Bloomfield-Garfield Corporation (CC-88-31).

Also,

No. 1028 Resolution providing for an Agreement or Agreements with the Art Museum for administrative and technical assistance at a cost not to

exceed \$2,500.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Homewood Art Museum (CC-88-32).

Also,

No. 1029 Resolution providing for an Agreement or Agreements with the Jewish Community Center for professional services in connection with their Friendship Line counseling program in an amount not to exceed \$9,430.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Jewish Community Center (CC-88-33).

Also,

No. 1030 Resolution providing for an Agreement or Agreements with the Polished Apple Enterprise, Inc., a non-profit corporation, to provide community social services including home chore services and a shopping-transportation escort service to the aged, handicapped, and disabled, in an amount not to exceed \$1,900.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Polished Apple (CC-88-34).

Also,

No. 1031 Resolution providing for an Agreement or Agreements with the Lawrenceville Business Association for administrative assistance, in carrying out its commercial district revitalization program in Lawrenceville at a cost not to exceed \$2,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Lawrenceville Business Association (CC-88-36).

Also,

No. 1032 Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council for administrative/operating assistance with their community development program at a cost not to exceed \$2,648.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Lawrenceville Citizens Council (CC-88-37).

Also,

No. 1033 Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for administration/operating assistance in their economic development revitalization program at a cost not to exceed \$2,648.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Lawrenceville Development Corporation (CC-88-38).

Also,

No. 1034 Resolution providing for an Agreement or Agreements with the 31st Ward Citizens Council for operating a Food Distribution-Voucher System for low-moderate income families at a cost not to exceed \$1,986.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - 31st Ward Citizens Council (CC-88-39).

Also,

No. 1035 Resolution providing for an Agreement or Agreements with the St. Rosalia Church Food Bank for operating assistance in running their Food Bank Project at a cost not to exceed \$1,986.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - St. Rosalia Church Food Bank (CC-88-40).



Also,

No. 1036 Resolution providing for an Agreement or Agreements with the Parental Stress Center, Inc., to provide administrative support to the Agency at a cost not to exceed \$4,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Parental Stress Center (CC-88-22).

Also,

No. 1037 Resolution providing for an Agreement or Agreements with the Elder-Ado, Inc., for housing counseling services to assist elderly and low income persons at a cost not to exceed \$13,972.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Elder-Ado (CC-88-23).

Also,

No. 1038 Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home in an amount not to exceed \$54,944.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - CareBreak (CC-88-25).

Also,

No. 1039 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods in an amount not to exceed \$50,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Western

Pennsylvania Conservancy Human Services, Inc. (CC-88-24).

Also,

No. 1040 Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance in operating the Phonecheck of Greater Hazelwood project at a cost not to exceed \$1,986.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Hazelwood-Glen-Hazel-Glenwood (CC-88-41).

Also,

No. 1041 Resolution amending Resolution No. 883 of 1987, as amended by Resolution No. 32, effective February 8, 1988, entitled: "Providing for an Agreement or Agreements with the Pittsburgh AIDS Task Force, Inc., for the furnishing of professional services in connection with its programs of advocacy services, Emergency Fund, education, risk reduction and other programs of awareness and compassion for the benefit of all the residents of the City of Pittsburgh during 1987-88", so as to increase the program allocation by \$3,972.00 from \$40,000.00 to \$43,972.00.

Also,

No. 1042 Resolution approving a Conditional Use Exception under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Marian Plaza, Inc., for authorization to construct a six-story structure containing 51 dwelling units for the elderly on property located at the southeast corner of FRANKSTOWN AVENUE and MADONNA STREET, 13th Ward.

Also,

No. 1043 Resolution approving a Conditional Use Exception under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Bry-Mard Apartments, Inc., for authorization to convert the existing school building into 37 dwelling units for the elderly on certain property located on the southwest corner of BRICELYN STREET and EYMARD STREET, 13th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1044 Resolution providing for the issuance of a warrant in favor of Industrial Valve & Fittings, Inc., 25th & Smallman Streets, Pittsburgh, PA. 15222, in the amount of \$1,330.00 in payment for emergency purchase of bell joint repair clamps, chargeable to and payable from Code Account No. 1986, Materials, Distribution Division, Department of Water.

Also,

No. 1045 Resolution providing for the issuance of a warrant in favor of Hewlett-Packard Company, Box 371689M, Pittsburgh, PA 15251, in the amount of \$1,461.75 in payment for repair of the gas chromatograph at the Water Treatment Plant, chargeable to and payable from Code Account No. 1974, Repairs, EO4-1, Purification & Pumping, Department of Water.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1046 Resolution providing for the issuance of a warrant to Samuel Klein, John Klein and Ned Fine, t/d/b/a

Klein's Restaurant, a Partnership, in the amount of \$1,187.50 in full settlement of claim for property damage arising when a City refuse truck rolled over Plaintiff's sidewalk damaging the same, payable from Code Account No. 46, Judgments.

Also,

No. 1047 Resolution amending Resolution No. 314, part of Item E, effective April 29, 1988, which authorized the sale of vacant lot, 75 Climax Street, 18th Ward, Block 15-G, Lot 196 to Gloria Jean Bell. The reason for the amending resolution is to correct the sale date to June 1, 1970 instead of June 1, 1979.

Also,

No. 1048 Resolution amending Resolution No. 314, Item A, approved April 25, 1988, which authorized the sale of 2136-5th Avenue, 4th Ward, a vacant lot, designated as Block 11-K, Lot 56B, to Rapheal Mitchell and George Hollis. The reason for the amending resolution is to correct the lot size to read 20.02 X avg. 50.62 X 21.

Also,

No. 1049 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1050 Communication from Sophie Masloff, Mayor, City of Pittsburgh, requesting authorization for James Simms to attend the Martin Luther King, Jr., Federal Holiday Commission National Planning Conference, in Atlanta, Georgia, July 28-31, 1988, at a cost not to exceed

\$600.00, payable from Code Account No. 1017, Miscellaneous Services.

Also,

No. 1051 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley, Assistant Director of Personnel, to attend various meetings scheduled by the Pennsylvania Service Delivery Area Association, the Pennsylvania Department of Labor and Industry and other state agencies or organizations regarding the administration, coordination and implementation of JTPA and state funded training and employment programs, in Harrisburg, PA, at various dates from July 1, 1988 - June 30, 1989, at a cost not to exceed \$5,000.00, payable from the JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

**The Chair (Pro tem) presented**

No. 1052 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Paula Strasser, Assistant Aviculturist, Pittsburgh Aviary, to attend the AAZPA National Conference and Specialist Group Meetings, in Milwaukee, Wisconsin, September 22-29, 1988, at a cost not to exceed \$1,400.00, payable from the Aviary Trust Fund. These specialist group meetings concern breeding of the endangered White-naped Crane, ISIS and ARKS (International Species Inventory System and its computerized Animal Records Keeping System), and open meetings of AAZPA committees. The bulk of the meetings will concern animal management education, and administration pertaining to zoos.

Also,

No. 1053 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Bruce Wilamowski, Florist, and Margaret Giampolo, Concessionaire, to attend the Third National Herb Growing & Marketing Conference, in Louisville, Kentucky, July 17-20, 1988, at a cost not to exceed \$1,276.80, payable from the Phipps Conservatory Trust Fund. The purpose of this trip will be to expand Mr. Wilamowski's knowledge of greenhouse growing, culture, expanded variety availability, and potential educational uses of greenhouse display within and around Phipps Conservatory complex. Mrs. Giampolo will expand vendor contacts for potential retail sales; also to obtain strategy of sales of these plant specialties and planning for specific May Plant Sales of these items each year.

Which were read and referred to the Committee on Parks and Recreation.

#### **UNFINISHED BUSINESS**

**The Chair presents**

No. 1054 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 453, entitled, "Resolution establishing the Hunger Trust Fund of the City of Pittsburgh".

Which was read.

**(MAYOR'S VETO LETTER)**

June 29, 1988

President Pro Tem and  
Members of Council  
City of Pittsburgh  
510 City-County Building  
Pittsburgh, PA 15219

Dear President Pro Tem and Members of Council:

I am returning Council Resolution No. 453 establishing the Hunger Trust Fund of the City of Pittsburgh along with my veto of that legislation. I have submitted legislation which will address the issue of hunger and provides for the process of distributing the funds. They are as follows:

1. A resolution which amends the 1988 Community Development Block Grant Capital Budget by decreasing a line item (CC-88-10) "City Council - Hunger Services Network" from \$53,060.00 to \$0.00; and increase a line item (CC-88-01) "City Council - Pittsburgh Community Services" from \$10,000.00 to \$64,050.00;
2. A resolution which provides for an agreement or agreements with Pittsburgh Community Services, Inc., for the operation and implementation of a "City-wide food distribution and services program," at a cost not to exceed \$100,000; and
3. A proposed resolution which amends previous Resolution No. 732 of 1980 and Resolution No. 1365 of 1981 entitled, "Providing for an agreement or agreements with the Housing Authority of Pittsburgh for site assembly, construction and sale of a retail store in the Allentown neighborhood, in an amount not to exceed \$180,000.00" so as to decrease the project allocation to \$133,585.59 (-\$46,414.41).

Thank you for your support and cooperation of this very important initiative.

Very truly yours,

Sophie Masloff

(END OF LETTER)

Mr. Ferlo:

Mr. Chairman, I move to override for purposes of discussion.

Mr. Lyons:

Mr. Chairman, I second that for discussion.

Mr. Ferlo:

Mr. Chairman, thank you for the opportunity to speak on this.

Members of Council, this morning I would ask that you join me in sustaining the Mayor's veto of the Hunger Trust Fund. Overriding the Mayor's veto may be politically attainable but it would amount to a shallow act that would not allow us to move forward. More importantly, it would let the Administration off the hook and take the ball out of their court. I don't intend to let that happen.

The success of the Hunger Trust Fund depends on the active and affirmative participation of Mayor Masloff and her Administration. Recent actions of the Administration have demonstrated to me that they are not treating Council's proposals to deal with the needs of the food pantries operating in our City seriously. The reprogramming of over \$50,000 of funds already directed to anti-hunger agency to another anti-hunger agency is a cruel hoax and reflects a Scrooge-like mentality. By that I mean the reallocation of monies to the Community Services Agency as opposed to the Hunger Services Organization.

The main purpose of the Hunger Trust Fund was to be a repository for various public and private sources of funds which would be directed to the Hunger Fund of the Pittsburgh

Foundation. This fund initiated by the Mayor's own Task Force on Hunger was to act as a clearing house for dispersing funds to various food pantries and shelters. The foundation has a voluntary allocations committee and no amount of the donations received were to be spent on administrative overhead. It was always clear and intended that City funds would only be spent on City pantries and City residents. This could have been achieved contractually.

In response to the serious efforts and concern on Council regarding this issue, as well as the public outcry expressed at a recent public hearing, the Administration has decided to reprogram approximately \$40,000 of CDBG funds. These funds will now go to the Pittsburgh Community Services Inc. The amount of their administrative overhead and exactly what communities and neighborhoods, as well as what individuals can receive these funds, remains unclear. The Administration's handling of this issue has attempted to pit one agency against the other. This Council should not allow this to happen.

In sustaining the veto, I ask that Council consider supporting a resolution that I am submitting today to rebudget \$200,000 of unexpended general funds to assist our City's food pantries and shelters and people in need. This money comes from staff positions that have been budgeted by the previous City Council, ones that the Administration has no intention of filling.

In sustaining the veto, I would also ask that you join me in urging Mayor Masloff and her Administration to do the following: first of all, they should meet with hunger advocates as well as services providers this week to resolve the confusion that exists in naming the Pittsburgh Community Services Inc. as the lead agency instead of the Pittsburgh

Foundation Hunger Fund. The Administration should treat the work of the Hunger Task Force with more seriousness and concern. It needs to re-evaluate its commitment to the important work of the Hunger Task Force.

Secondly, I would ask that the Administration resolve the dispute over the check-off box on the PGH-40 City Earned Income Tax Form. If enabling legislation is needed, then let's all get behind representative Tom Murphy who has made a commitment to introduce this amendment. This means, quite frankly, that Mayor Masloff should personally get involved and communicate to the Allegheny County Delegation to Harrisburg. Over 5,000 refund checks go out each year and I believe that a significant amount of money would be voluntarily contributed by taxpayers if they were allowed to do so on their income tax form. We have nothing to lose and everything to gain.

Thirdly, the Mayor and her Administration must resolve the issue of the donor option form for City employees. The United Way has allowed a special check-off designation box for a hunger fund to be placed on the donor option card, and they have even offered to print the 5,000 or so cards needed to be distributed to City employees. I ask the Administration, what will they do relative to implementing this plan which needs to be resolved over the month of July, and exactly what fund will be designated.

Fourthly, the Mayor has been silent on City Council's request for an annual State of the Poor Report. Our City has a responsibility to deal with the short-term as well as the long-term needs of our low-income families and individuals. We need a planning tool to do this. What is the Mayor's intention on this matter?

In closing, once again I ask that you sustain the veto and help me refocus attention on the Mayor's Office for it is they who must deal with both the administrative as well as the political details of our proposed anti-hunger policies.

Thank you very much, Mr. President.

**Mr. Lyons:**

Mr. President, I would like to say this. I'm for sustaining the veto; I seconded it for discussion. On Bill 453 that was presented last week, the second part of that bill regurgitated some monies that had already been found; over 63,000 odd dollars. Since that time, the Administration has come up with the additional monies that would make \$100,000. This money has been secured from the CBDG trust fund return. And certainly, I think that we should sustain the veto, wipe out whatever problem is here, and we'll reconstruct it. But the \$100,000 which does not include part two of Bill 453 is now available.

**Michelle Madoff:**

I am sure that all of us are very distressed and this act of supporting the sustaining the Mayor's veto is only a pro forma. I don't think any of us agree with what's happened but we're sort of locked in, as is the Pittsburgh Foundation. The Pittsburgh Foundation is no doubt going to have to back off; they'll be intimidated into not being the distributor of this packet of dollars, a large sum of dollars, and I think the Pittsburgh Foundation is in a better position, perhaps, to reach out into the private sector and obtain greater sources of funds that do not go to the taxpayers pocketbook.

I think that Mayor Masloff's actions

were, at best, misleading and, at worst, deceptively deceitful. It's like taking a bite out of somebody else's sandwich.

I don't often agree with Mr. Ferlo's style, but I must admit in this issue on hunger he took a very responsible role in holding the public hearing. I told him at the time that I wish he had sat down with the Administration to find out where the monies could come from. But I support Mr. Ferlo that there's no reason why we could not have a check-off box on our returns for income tax from the City, and those of us who feel that we wish to make a contribution can do so which would generate substantial dollars.

It's unclear as of this moment whether the Hunger Action participants, the various groups, will retain their grants at \$63,000. I don't know; does anybody know that? Or are we going to remove the money from those groups and give it to another group and have everybody at each other's throats?

I repeat; it was deceitful, it was deceptive, and it was done to look like, and there was no misunderstanding when you read the bill, there was absolutely no misunderstanding in what was put out by Mayor Masloff, by the Administration, when it said, "We are going to give \$100,000" — As a matter of fact, if you read the bill, I don't have it with me, it says \$150,000 from us and we're going to match the money and come up with great sums of money to help the poor, when in reality it's a \$46,000 addition that this Council could have found all by itself and didn't need the input of the Administration. That's a hoax; it's disgraceful.

I, of course, will vote with Mr. Ferlo and the rest of Council, I presume, to sustain the veto because it's really meaningless. It was a meaningless act and it's a meaningless vote to sustain the

veto but I think we're absolutely right. This Council must go out and find at least \$200,000; perhaps a great deal more. Find the money from priority sources. What's more important; having a Zoo paid for by the City when three-quarters of the people using it are non-City residents and the Aviary and the Conservatory, or taking some of that money and giving it to our poor citizens in the City? Given a choice, I think our citizens who aren't eating would prefer to eat than go to see the animals in the Zoo. And that's just one example; we have so many overruns, we have so many give-away contracts that it's a disgrace that we can't find a mere \$200,000 or perhaps \$500,000.

We're in a crisis situation; those that don't have may be forced to go and take from those who do have. This causes horrible problems, particularly to our unemployed youth on the Hill whose families, 60 percent, in many cases are not working.

The hip bone is attached to the thigh bone. If we don't help those in need, we're not helping ourselves.

**Mr. DePasquale:**

Mr. President, if we sustain the Mayor's veto, is she going to re-introduce her hunger legislation this coming week?

**The Chair:**

I have no idea.

**Mr. DePasquale:**

Does this kill the hunger legislation?

**The Chair:**

It kills this bill, that's all.

**Mr. DePasquale:**

No doubt the Mayor will re-introduce her legislation.

**Mr. Ferlo:**

Just one closing comment, Mr. Woods. I just want to clarify for one of my colleagues that the actual amount of money being committed by the Administration and a bill that we will vote on today is not \$100,000; so let's not have any confusion on that. The Administration's bill today is \$36,940. I will offer an amendment to raise that to the \$46,000 figure, but let's not be confused on the issue of the \$100,000.

**The Chair:**

Okay, those in favor of overriding the veto will vote aye when their name is called; those opposed will vote no.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**VOTING NO:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES none NOES 7**

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

## REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1055

Report of the Committee on Finance for June 29, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 936

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Arnold Corporation, P.O. Box 92798-C, Cleveland, Ohio 44191, in the amount of \$3,307.47 in payment for the purchase of traffic complaints and summons books and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 951

A Resolution entitled, "Resolution providing for the transfer of two hundred twenty-five thousand dollars (\$225,000.00) from Code Account 57-1 Index Code 005710, Retirement Severance Pay-Sick Leave to Code Account 30, Index Code 003004, Refunds-All Other Taxes."

Which was read.

Mr. Wagner:

Mr. President, in accordance with Section 322 of the Home Rule Charter, Publication Effective Date of Legislation, I move that the effective date of Bill 951 shall be the date on which it is signed by the Mayor.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

Bill No. 972

A Resolution entitled, "Resolution transferring the sum of seventy-five thousand dollars (\$75,000.00) from Code Account 1402, Index Code 140202, Uniforms and Equipment to Code Account 1402-9, Index Code 140293, Workers Compensation, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Workers Compensation Payroll for the remainder of 1988."

Which was read.

Mr. Wagner:

Mr. President, may I ask the City Clerk, is Bill No. 972, we had an interim



approval circulating this morning, is that the same as this bill simply to get approval prior to passage?

**Mr. Perry:**

Yes, I'm pretty sure.

**Mr. Wagner:**

Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1007

A Resolution entitled, "Resolution transferring the aggregate amount of \$18,000.00 from various code accounts to Code Account 1851-1, Zoo Premium Pay (185116), in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                  |            |
|------------------|------------|
| Mr. Coyne        | Mr. Lyons  |
| Mr. DePasquale   | Mr. Wagner |
| Mr. Ferlo        | Mr. Woods  |
| (Pres't Pro tem) |            |

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 1056

Report of the Committee on Public Works for June 29, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 941

A Resolution entitled, "Resolution amending Resolution No. 530, approved July 9, 1987, effective date July 13, 1987, entitled Off-Street Parking Area."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 942

A Resolution entitled, "Resolution granting unto Carl Kohlman, College Inn, 5851 Ellsworth Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an outdoor cafe on a portion of the sidewalk of College Avenue in the 7th Ward of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                  |                 |
|------------------|-----------------|
| Mr. Coyne        | Mr. Lyons       |
| Mr. DePasquale   | Michelle Madoff |
| Mr. Ferlo        | Mr. Woods       |
| (Pres't Pro tem) |                 |

AYES 6            NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 943

A Resolution entitled, "Resolution granting unto Thomas and Bonnie Heidkamp, 2298 Valera Avenue their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a driveway over a portion of the right of way of Ravilla Avenue in the 29th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 944

A Resolution entitled, "Resolution vacating an Unnamed Way from Bothwell Street to the southeasterly line of an Unnamed Way in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 945

A Resolution entitled, "Resolution vacating an Unnamed Way between Milroy Street and a 30-Foot Unnamed

Way 203.95-Feet northwardly and also the easterly portion of a 20-Foot Unnamed Way beginning at a point 62.91-Feet east of Bothwell Street to its easterly terminus in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 946

A Resolution entitled, "Resolution vacating a portion of Wilbur Way from Georgia Avenue to 75.19-Feet west in the 30th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 1057

Report of the Committee on Planning, Housing and Development for June 29,

1988 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 636

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16, by changing: From "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: MADONNA STREET; FRANKSTOWN AVENUE; Lot No. 13, Block 231-G in the Allegheny County Lot and Block System; BRICELYN STREET and EYMARD STREET, 13th Ward."

Which was read.

Also,

Bill No. 949

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198, effective March 13, 1987; Resolution No. 584, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987, entitled: 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program', so as to add a line item in the Department of Engineering and Construction, and increasing the overall Grant total from \$16,843,000.00 to \$16,848,000.00."

Which was read.

Also,

Bill No. 950

A Resolution entitled, "Resolution providing for the filing of an application or applications for financial assistance by the City of Pittsburgh with the Pennsylvania Department of Commerce, Commonwealth of Pennsylvania."

Which was read.

Also,

Bill No. 978

A Resolution entitled, "Resolution authorizing the Mayor, on behalf of the City of Pittsburgh, to submit an application for financial assistance in the amount of \$70,000.00 to the Commonwealth of Pennsylvania, Department of Community Affairs for the Emergency Shelter Grant Program; designation of the Local Matching Share; providing the necessary assurances for compliance with applicable laws; and deposit of the funds in the appropriate account."

Which was read.

Also,

Bill No. 979

A Resolution entitled, "Resolution providing for an Emergency Shelter Grant Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the implementation of a grant from the Commonwealth of Pennsylvania, Department of Community Affairs in the amount \$70,000.00 for the Womanspace East, Inc., Project at 2000-2002 Fifth Avenue, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1001

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide Food Distribution and Services Program' at a cost not to exceed \$36,940.00." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

Mr. Chairman, in line with the earlier discussion on the actual amount of money that we are creating for hunger, I would ask that Council support a formal amendment which I would like to now offer, and that is a motion to amend Council Bill No. 1001 by increasing the total cost not to exceed from \$36,940.00 to \$46,414.12. If we support Bill 1002, we in effect create a sum of money of \$46,414.12.

**Mr. Lyons** seconded the motion.

**Michelle Madoff:**

Discussion. Do I have your permission to ask Mr. Ferlo a question?

Mr. Ferlo, would it not be more appropriate to amend the bill from \$63,000 to \$60,000, to add the \$10,000 to our legislation which would make it \$73,000 and leave the Mayor's \$36,000 as is? The numbers would be the same but it would be more appropriate for us because we are making that change, not the Administration.

**Mr. Ferlo:**

You'll have to restate that. I'm sorry, Michelle; I lost you.

**Michelle Madoff:**

I'll try again. There's approximately a \$10,000 difference, \$9,000 something that we're adding onto the bill. It seems to me that since Council already had \$63,000 of the \$100,000 and we found \$9,000 more, that we would add it to our dollars. The Administration isn't adding it to hers. I would just like to amend it the other way, add it on to our money because you found the money, not the Administration.

**Mr. Ferlo:**

There's a good reason why we should not do that. First of all, the additional nine or ten thousand that I'm supporting by way of this amendment to Bill 1001 goes to the Pittsburgh Community Services and in turn it then goes to the various food pantries. So, the point of this legislation, just by increasing the amount, is to get a sum of money to PCI and then to the City food pantries.

The other legislation supports a specific grant to the Pittsburgh Hunger Services Network and it would not necessarily go for direct food purchase and acquisition. So, it's a contradictory situation. On one hand, Council previously made a commitment to the tune of \$50,000 plus to support the Hunger Services Network as an agency in their work and anti-hunger activity. Now we're specifically targeting money which will go to food pantries. So, I'm only cleaning up the legislation by making the dollar figures coincide. If we're freeing up by way of Bill 1002 the sum of \$46,414.12, then the Bill 1001 should reflect that specific dollar figure.

What Michelle has suggested may seem like a decent thing to do but it confuses the situation. This is a bill we have right now in hand and in ten days we can get close to \$50,000 in the hands of the food pantries. So, I would urge that we support the amendment as I've proposed.

**Michelle Madoff:**

I don't have a problem with going along either way. I just think it's appropriate that the public understand that the \$100,000 is not \$100,000 for the Administration; it's a \$36,000 addition taking the monies this Council has already appropriated and this Council suggesting that we add on \$10,000. If we want to be gracious and say, just pass the bill as it is, but I think everyone understands that the bulk of that money did come from this Council and would be more appropriate to amend our dollars to reflect the additional \$10,000 that we're willing to allocate for hunger programs. But I'm not going to quibble about how people get the money as long as they get it.

**The Chair:**

I think that's right. I don't think it's important about who initiates the legislation; it's what we do with the money. I think that's what all of us should keep at hand and realize we're here for the common good of the people of this City, not who is going to take credit for it.

**Mr. Lyons:**

Mr. Chairman, I'm already informed that the additional \$53,000 odd has been secured, as I mentioned earlier, from the CBDG trust fund return. Do we want to consider that?

**The Chair:**

Not now; not at this time. We have other bills coming up.

**Michelle Madoff:**

Mr. President, I think it's unfortunate that you made that last statement that we must consider the people and the good of the public as opposed to who is going to get credit for it. I think that's what this Council did. I don't agree with Mr. Ferlo's style 99 percent of the time but when he's right, he's right. And I think it's incumbent upon us to support the public and not make this a political versus Council, Administration versus each other in an adversarial role. But it is unfortunate that the Administration chose to take the good deeds of this Council, voted many months ago, and make it look like they're doing something for the public. I think that is misleading. That's all.

**The Chair:**

Okay, on the amendment? All in favor? Opposed?

**WHICH MOTION PREVAILED.**

Also,

**Bill No. 1002**

A Resolution entitled, "Resolution amending Resolution No. 732, effective August 14, 1980, as amended by Resolution No. 1365, effective December 31, 1981, entitled: 'Providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$180,000.00' so as to decrease the amount for the project by \$46,414.42 for a total amount

not to exceed \$133,585.58."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

**Bill No. 1003**

A Resolution entitled, "Resolution amending Resolution No. 448, effective June 16, 1988, entitled: 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program', so as to decrease line item (CC-88-10) 'Hunger Services Network' from \$53,060.00 to "0"; and increase line item (CC-88-01) 'Pittsburgh Community Services' (Hunger Program) from \$10,000.00 to \$63,060.00."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, it is important that we vote no on this bill, 1003. It's important in recognizing that the Administration in fact did not appropriate \$100,000, that they are attempting to pit one agency here against the other. It is Council's intention previously to support the Hunger Services Network with a grant of \$53,060. I think we should continue to make that commitment and I would ask my colleagues to please vote no on Bill 1003.

**Mr. Lyons:**

I intend to vote no on it because it would be consistent with the veto. We'll straighten everything out and then Mr. Ferlo will sit with the Administration or ask them to come to a meeting so we can determine how we'll chart our course for the future.

**Mr. DePasquale:**

What does this do to the rest of the grants?

**The Chair:**

Nothing. It has nothing to do with the rest of the grants.

**Mr. DePasquale:**

How can we approve the rest of the grants in this ordinance and not the other one?

**The Chair:**

It has nothing to do with the other grants.

**Mr. DePasquale:**

But they're all part of the same

ordinance. We've got a negative recommendation on the ordinance. You have several grants in here plus the one on the Hunger Services Network.

**Mr. Perry:**

That's only that one item.

**Mr. Ferlo:**

Mr. Chairman, there are three bills that are companion bills. Together they accumulate the sum of \$100,000. We don't want to do that because, as indicated previously by discussion, that \$100,000, the reason why we got the \$100,000 is we basically defunded another hunger group to support the Mayor's plan for the Hunger Act. That's not what we want to do so we're voting down, hopefully, Bill 1003 and we're going to vote yes, with an amendment, hopefully, on the two other bills and that will create a smaller sum of money.

**Mr. Lyons:**

Mr. Chairman, this bill was voted down because it was in conflict with the second part of Bill 1001 and this is the reason they asked us to deny this bill.

**The Chair:**

Okay, all those in favor of passing the bill, vote aye. Those opposed, vote no.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**VOTING NO:**

Mr. Coyne            Michelle Madoff  
Mr. DePasquale      Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            (Pres't Pro tem)

AYES none            NOES 7

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Michelle Madoff for Mr. Pollock presented**

Bill No. 1058

Report of the Committee on General Services for June 29, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 937

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Air Bag Systems for the Bureau of Emergency Medical Services and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne            Michelle Madoff  
Mr. DePasquale      Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            (Pres't Pro tem)

AYES 7                NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 1059

Report of the Committee on Parks and Recreation for June 29, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 973

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Mt. Washington/Duquesne Heights United Block Watch for professional services in connection with their National Night Out Parade on July 30, 1988 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838 (Index Code 183806) Miscellaneous Services, in the Department of Parks and Recreation."

—(SPONSORED BY MR. DEPASQUALE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill



pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1060

Report of the Committee on Engineering and Construction for June 29, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 929

A Resolution entitled, "Resolution amending Resolution No. 494, effective 6/30/87, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for professional geotechnical services on an 'as-needed' basis; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements, by naming the Consultant, and by increasing the total project allocation by \$46,300.00 from \$50,000.00 to \$96,300.00."

Which was read.

Also,

Bill No. 930

A Resolution entitled, "Resolution amending Resolution No. 369, effective May 31, 1988, entitled: 'Providing for Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playgrounds and Parks, including but not limited to Gardner, Frick Park and Lincoln Place; and providing for the payment of the cost thereof,' by including McBride Courts and by increasing the total project allocation by \$125,000.00 from \$100,000.00 to \$225,000.00."

Which was read.

Also,

Bill No. 931

A Resolution entitled, "Resolution amending Resolution No. 370, effective May 31, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Rehabilitation to the Aviary; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$30,000.00 from \$20,000.00 to \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Michelle Madoff  
Mr. DePasquale      Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            (Pres't Pro tem)

AYES 7                NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 932

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Repair of Various Sidewalks, including but not limited to Spring Garden Playground; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 933

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Structural Renovation of Phipps Conservatory; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

I'm voting no on Bills 932 and 933 because they say, come and get us. They give the dollars that we're willing to spend -- The jobs could perhaps be done for half the amount.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Lyons  
Mr. DePasquale      Mr. Wagner  
Mr. Ferlo            Mr. Woods  
                         (Pres't Pro tem)

AYES 6                NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 934

A Resolution entitled, "Resolution providing for the acceptance of the dedication of a public sewer easement by the Landmarks Real Estate Corporation, in part of its property designated as Block 4D, Lots No. 45, 100, 130 and 250, situated in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 935

A Resolution entitled, "Resolution amending Resolution No. 954, effective December 11, 1987, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for

Professional Architectural Services in connection with the design of the New Master Plan at the Pittsburgh Zoo; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements, by naming the Consultant and by increasing the total project allocation by \$40,098.22 from \$75,000.00 to \$115,098.22."

Which was read.

Also,

Bill No. 964

A Resolution entitled, "Resolution amending Resolution No. 968, effective October 16, 1985, as amended by Resolution No. 818, effective October 23, 1987, as amended by Resolution No. 1037, effective December 22, 1987, entitled: 'Providing for a Cooperation Agreement or Agreements, or Supplemental Agreement or Agreements, with the Commonwealth of Pennsylvania, Department of Transportation, for the maintenance and ownership of facilities constructed as part of I-279/I-579 Expressway; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$1,200,000.00 from \$250,000.00 to \$1,450,000.00."

Which was read.

Also,

Bill No. 965

A Resolution entitled, "Resolution amending Resolution No. 269, effective April 12, 1988, entitled: 'Providing for the acquisition of taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Maria Pena, his wife, for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert

Street Bridges and authorizing acquisition and the payment of just compensation and necessary and incidental acquisition and relocation cost related thereto,' by amending the description set for therein."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 966

A Resolution entitled, "Resolution amending Resolution No. 1094, effective January 1, 1988 as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by allocating 1988 NPA funds for two (2) existing projects (EC 88-68 and EC 88-69), by creating two (2) new line items (EC 88-70 and EC 88- 1) and by adjusting the Summary Totals."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                  |                 |
|------------------|-----------------|
| Mr. Coyne        | Michelle Madoff |
| Mr. DePasquale   | Mr. Wagner      |
| Mr. Lyons        | Mr. Woods       |
| (Pres't Pro tem) |                 |

AYES 6                NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 967

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's Share of refurbishing of the lighting system and related apparatus of the Armstrong Tunnel; and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 968

A Resolution entitled, "Resolution amending Resolution No. 250, effective March 20, 1987, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for Remodeling of the Department of Engineering and Construction, Third Floor, City-County Building; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$200,000.00 from \$135,000.00 to \$335,000.00."

Which was read.

**Mr. Ferlo:**

On the two bills that are companion bills, I will cast a no vote on Bill 966 and, more importantly, on Bill 968 which is the remodeling of the Department of Engineering on one of the floors in this building. It's a sum of money of \$335,000 and I believe that if we had money hand over fist that it's the type of appropriation that we could make maybe some time in the future. But relative to other expenditures and appropriations that I think are more important, I cannot in good faith vote for the remodeling of this floor to the tune of over \$300,000 when monies are needed for all sorts of other activities in the City that are far more important than

giving a few staff people private offices.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                  |                 |
|------------------|-----------------|
| Mr. Coyne        | Michelle Madoff |
| Mr. DePasquale   | Mr. Wagner      |
| Mr. Lyons        | Mr. Woods       |
| (Pres't Pro tem) |                 |

AYES 6                      NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 969

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of No. 5 Police/No. 8 Fire Station; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Mr. President, I was, to say the least, not only appalled but thunderstruck to see in Sunday's Pittsburgh Press in relation to "Paramedics' Union Reject Proposal By City To Sell Grievance", I cannot believe that in America, a democracy, we would have an administration that would say, we will let somebody come back to work who has been laid off, possibly dismissed, because the City forced them to work overtime and the person was in an accident because they were fatigued. The trade-off would be if the paramedics would engage in a gag order, would accept a gag order, wherein they would agree not to discuss the issue of the radios which are at least two years overdue, not in other forums such as City Council or the newspapers.

The fact remains, and it's somewhere in this article, that we had someone who couldn't handle a call on the paramedics' service because the radios weren't working; they had to get to a telephone booth. Now, we all know that we have rules in this City on going out for bid. But the fact remains, and nowhere in this story does it say that there were great delays, unnecessary delays, in actually starting the bidding

process; the process should have been started light years ago. There has been no excuse given to this Council or anybody else as to why the Administration didn't go out for radios earlier than they did. There's no excuse for years and years of paramedics and police officers not having their radios and not having that kind of protection, especially when we've had to cut our police force back so that officers are going out one person on a call. And I've heard from some of the paramedics' wives who told me that sometimes their husbands go out on what is perceived to be a paramedic call but is a knifing, they need back-up of the police and they're not on the same channels.

There's something terribly wrong with a city that would threaten the paramedics and threaten not to take somebody back to work as a quid pro quo if the paramedics would agree not to talk to the media and not to talk to members of City Council about the fact that they do not have radios.

I can't believe this and I think that it is incumbent upon us as members of Council to send a very strong letter to the Administration, to Mayor Masloff or the powers that be that would even think about indulging in something like this, and say very strongly that we oppose any infringement on the First Amendment. We are duly elected officials who may certainly wish to address any issue, including the radios, and I don't think that's something that we should not be permitted to talk about.

I have another item but I will yield if somebody wishes to address this subject.

**Mr. Ferloc**

Mr. Woods, on this issue, I would like to concur with my colleague,

Michelle. The fact of the matter is that our labor negotiator whose name will go unmentioned at the request of the Chairman previously who has asked not to make reference to particular individuals, but we all know who Mr. Schneider is; he's the labor negotiator for the City and I think that it's clear that he's up to his usual bag of tricks.

I was personally offended by the article in the Pittsburgh Press and I think its outrageous that he attempts to institute a gag order on the rights of employees. We in this legislative body, and at least myself personally, I am very aware of the fact that it is up to the Administration to deal with negotiations and arbitration and matters between the unions and the City. I don't dispute that. However, individual rank and file members of the paramedics union as well as the leadership as well as any other City employee has every right whatsoever to meet and phone and discuss and to appear in post agenda sessions before City Council on any matter that they're concerned about or any matter that we have concern about. The recent demonstration by the Administration in refusing to attend the table to discuss the situation with the fire trucks is an example very similar to this.

But I would have to applaud Mr. Weslager, the new President of the Paramedics' Union. There may have been some in the past who would look to this as a good opportunity to either self-enrich his own pocket or in some way appease or compromise his membership. But I think we should applaud the leadership that this gentleman has shown in defending the rank and file and defending his people, the paramedics.

If there are concerns about radios or any other matter that the paramedics

are concerned about, the First Responder Program program has been in the papers in the last couple of weeks, the issue of overtime, whatever issue be it, they have every right whatsoever to communicate to the media and I hope that they will continue to call me as an elected official and I hope in the future we will be able to entertain them at our table on various issues confronting the City. But I resent the comments and the attitude and the position of this Administration.

And if there's one reason why this Administration is not going to succeed in becoming re-elected, it's because of a very strong anti-union stance that continues to permeate the other end of this floor. Thank you.

**Mr. Coyne:**

Mr. President, I'm personally appalled, not only as a Councilmember but as a citizen of the United States of America that we have people in the Administration suggesting or telling our labor unions where they're to negotiate and represent the workers, that they can't come and speak to anybody whether it be the newspeople or this body either in a post agenda or at a Council meeting or in our offices. And I'd like to just issue my support for the unions and say that any time they have any problems, my door is open and I'm sure other members of Council's doors are open. And Mr. Schneider owes an apology not only to the unions but to the people of the City of Pittsburgh for even suggesting such a tactic as this.

**Mr. Lyons:**

I'd like to say that I think this Council is labor-oriented and certainly I'd like to express my feelings that I support labor and the unions.

**Mr. Wagner:**

Mr. President and members of Council, I would hope that all City employees and the public think that this Council is people-oriented and any question about any issue, whether it be union or non-union, individual or group, any employee in this City has any right to come to any Councilmember on that issue. And I want them to realize that the doors of this Council are open; they have been in the past in my office, will continue to be in the future, and I'm sure for other members of Council.

I also was appalled in reading that article. I don't think this is a conflict between the Administration so much and Council; I simply think that any employee should be able to question any issue legitimately and should be able to get an answer. And I think that's what they were attempting to do and could not get an answer.

The radio issue is one good example; that issue has never been in the public forum unless this Council put it in the public forum, even though it was part of the Leasing Authority, and it never became an issue within the Leasing Authority. It took this Council and this body at a post agenda meeting at this table behind us to bring that issue into the public forum. It's a shame it had to happen that way; I hope it doesn't have to happen again in the future.

**Michelle Madoff:**

I think all we said is a lot of rhetoric and a lot of hyperbole and it's nice that we all agree. Now what are we going to do about it? Let's stop being like the Administration and saying, well, we did it, we're going to get away with it and we made our statement and now we've stood up for the public. What are we going to do? Are we going to hold a

post agenda on Wednesday? I will make a motion that we send a letter to the Administration and to the union saying that we support their position and to the Administration that we think it's appalling that they would think this is Russia and they would usurp the First Amendment. I make that in the form of a motion.

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

Could you clarify the motion?

**Michelle Madoff:**

The motion is very simple, that what we've stated here today, that we send a letter expounding on our thoughts.

**The Chair:**

Can I suggest something? I didn't read the article but I think we all know from past experience, all of us know from past experience, that a lot of things we say to the print media, and even to the TV audio, are taken out of context; a word can be taken out here or a phrase could be taken out there. We don't know, and I didn't read it but I will read it, if everything --

**Mr. Ferlo:**

This is a written letter, Mr. Chairman. This is a written document from Mr. Schneider to the union. It's in hand; it's very clear.

**The Chair:**

Fine. I didn't know that. But a lot of times, the print media, in my opinion, I don't think is very good. That's my own opinion; other people have other opinions and I respect that. Whatever you want to do, make your motion, and we'll vote

on it.

**Michelle Madoff:**

I made a motion and it was seconded.

**The Chair:**

On what?

**Michelle Madoff:**

On a letter to both the Administration that we're appalled at their antics, and a letter to the union saying, please come to us at any time.

**The Chair:**

I think the union knows and I think

**Michelle Madoff:**

I think we need to put it in writing.

**The Chair:**

Can I have the floor, please?

I think the union knows, and I think all the unions in this City know and the 5,000 employees that work for the City, that they can come to this Council and Councilmembers every day of the week, and they know that. If you want to put it in letter form, that's fine. But just for the record, you know it, I know it, they know it and their leadership knows it because they come here all the time.

**Michelle Madoff:**

Mr. Woods, as you said, you have not read the article. When you read it, you'll probably be angrier than the rest of us.



**The Chair:**

I'm not debating the article, Ms. Madoff; I'm debating that they know they can come to us all the time.

**Michelle Madoff:**

And that's what I want to address. They don't know after this article; they've been framed.

**Mr. Wagner:**

Mr. President, a letter is meaningless. People know who is accessible on this Council and who is not accessible.

**The Chair:**

You're exactly right.

**Mr. Wagner:**

People know how to air an issue in front of anyone. The best example is the radio issue; in the radio issue, they knew who to come to on Council to bring that into the public forum. A letter is not going to increase or decrease the accessibility of those people to this Council and these Councilmembers.

In regards to the radios in particular, and this is in reference to my colleague, the Leasing Authority is the vehicle by which a Councilmember should be screening certain issues. If you are active on a particular authority —

**Michelle Madoff:**

I'm not on that authority.

**Mr. Wagner:**

You are on that authority.

**Michelle Madoff:**

No I'm not. I'd like to be on one.

**Mr. Wagner:**

If you are active on a particular authority, you will know what issues are brought to that authority. And unfortunately, that issue is the responsibility of a Councilmember on an authority. The Councilmember on that authority never got involved in the Authority because they were never at the meetings and consequently never brought the issue to the forefront. So, other members of Council had to bring that issue to the forefront. And that's the way in which people bring issues to this Council.

**Michelle Madoff:**

I'd like to respond to that.

**The Chair:**

No, we're not going to get into a debate.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne                      Michelle Madoff  
Mr. Ferlo

AYES 3                      NOES 3

VOTING NO:

Mr. Lyons                      Mr. Woods  
Mr. Wagner                      (Pres't Pro tem)

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And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**Mr. Lyons** moved to excuse Mr. Pollock for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Ferlo** moved to approve the Minutes of Monday, June 13, 1988 and Monday, June 20, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, July 11, 1988

No. 27

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, July 11, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### Mr. DePasquale:

Could we please have a moment of silent prayer for our late Legislator Seventy who passed away.

#### PRESENTATIONS

##### Mr. Coyne presents

No. 1082 WHEREAS, there can be little hope for any reduction in the level of violence in Northern Ireland until the problems of employment discrimination are forcefully and forthrightly addressed; and

WHEREAS, the unemployment rate of Catholics remains double that of Protestants in Northern Ireland after more than fifteen years of direct British rule and supposed British commitment to equality; and

WHEREAS, British proposals to combat discrimination have included no direct action against discrimination and no government action against intimidation in the workplace; and

WHEREAS, International human rights advocate Sean MacBride has devised a set of principals that address the serious problems of employment discrimination in Northern Ireland; and

WHEREAS, the "MacBride Principles" which seek to guarantee equal access to regional employment in Northern Ireland have been widely accepted by state and local governments and labor organizations here in the United States as a means of promoting equal opportunity in Northern Ireland; and

WHEREAS, the Pennsylvania State Legislature is currently considering

legislation that would prohibit any further investment of Commonwealth assets in U.S. corporations operating in Northern Ireland unless they adopt and adhere to the "MacBride Principles".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby support Pennsylvania House Bills 948, 949, 1079, 1080 and 1081 and Pennsylvania Senate Bills 544, 545, 546, 547 and 548 which prohibit further investment of Commonwealth assets in United States corporations operating in Northern Ireland unless they adopt and adhere to the "MacBride Principles".

Mr. Coyne moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman and members of Council, I'd like Rick Swartz and Rick Flanagan from the Bloomfield-Garfield Corporation to come forward to receive this proclamation.

Mr. Ferlo presents

No. 1083 WHEREAS, the Bloomfield-Garfield Corporation and the Garfield Jubilee Association have labored for years to combat the problems of vacant and abandoned properties in the Garfield neighborhood; and

WHEREAS, the health of the Garfield neighborhood is critical to the health of the City of Pittsburgh itself; and

WHEREAS, the vacant and abandoned properties are eyesores, fire hazards and dangerous, life-threatening

hazards for our children; and

WHEREAS, the Bloomfield-Garfield Corporation and the Garfield Jubilee Association have identified over 60 vacant, abandoned properties in the Garfield neighborhood; and

WHEREAS, the return of vacant and abandoned properties to the tax rolls is of financial benefit to the City; and

WHEREAS, State Representative Frank Pistella has introduced legislation in the Pennsylvania House of Representatives to secure \$200,000 from the Commonwealth of Pennsylvania to address the costs of demolishing unsalvageable dwellings and underwriting a portion of the expenses associated with rehabilitating units which can be returned to habitability.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares its support for this legislation and hereby urges its adoption by the Commonwealth of Pennsylvania.

Mr. Ferlo moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Very quickly, this resolution, I would hope, would be referred to our delegation to the State House, to the State Senate, as well as to Governor Bob Casey.

Very quickly, I'd like a comment from our representatives from the neighborhood group. This came about as a result of a neighborhood tour a week and a half ago. Very clearly, it's an attempt by the neighborhood groups to

focus more direct attention on the part of this Council as well as City government, Building Inspection, all the various City departments that deal with the issue of abandoned and vacant homes in the Garfield community. There's a lot that's happening, there's a lot more that needs to be happening, and I'm attempting here to focus some attention on the neighborhood groups efforts.

In this respect, I'd like to introduce Rick Flanagan to receive the resolution and make some comments briefly.

**Mr. Flanagan:**

Myself and Aggie Brose, the Bloomfield-Garfield Corporation, myself representing Bernhardt Realty and Warren Circone of Garfield Jubilee toured the neighborhood for weeks. We have identified approximately 35 vacant abandoned homes that are in need of demolition. There are over 60 vacant homes, possibly even more. As you tour and you walk the streets you say, there's another one, there's another one. It's rather depressing taking a walk.

In discussions we've had with the Bureau of Building Inspection, the City of Pittsburgh has allotted about \$800,000 for their demolitions on a yearly basis. In order to complete the demolition of anywhere between 25 to 35 homes in Garfield alone within a short period of time, this was going to place a great drain on the resources of Bureau of Building Inspection. So, we felt that it would be appropriate to tap into on a State level, especially since the State now is in their budget process, to acquire an allotment of funds targeted towards the crisis that we have out in Garfield. And that is the goal of this resolution, to support the efforts that are being made on a State level to acquire these funds that will not necessarily drain the \$800,000 that is used on a City-wide

level in all the other neighborhoods.

**Mr. Lyons:**

Two of these representatives from the Bloomfield-Garfield Corporation, for the last two weeks or longer I've been touring there, Orville Street, Rosetta, seeing the vacant homes and they're trying to fit in new homes there and you have an eyesore across the street and it devaluates your property. Azore Street up there, I've been trying to get the rubbish and things moved and you really have my support. I've been up there many, many times getting things done.

**Michelle Madoff:**

There's no question that you're an exemplary group. I brought an article in, I have it in my office, I haven't had a chance to go through it yet, I think it's the Ford Foundation that's making \$100,000 available to communities that are doing things that are different to revitalize their city. It's a Kennedy and Ford Foundation; I think it's a grant you can apply for. But it occurs to me, how long have these properties been vacant? Is there some way the community can arrange to see that these properties, when they come up, are not cannibalized? Maybe some kind of a burglar alarm that can be removed or a community watch because if they were turned over more rapidly you wouldn't have --

**Mr. Flanagan:**

I think on a long-term basis we have to look into why so many have become vacant. Many of them have been for years but many of them haven't also and it takes so long for the City to take them; many of them are tax delinquent and the City is not taking them, and there may be a problem with promotion of them. I know from a real estate

perspective there's no incentive for myself to promote them because there's no commission basis on them and maybe there can be something built in to help realtors be involved in the sale of these vacant homes.

A lot of it needs to be looked at. We're looking right now at the immediate crisis in getting the down from a health hazard standpoint. The one property, for example, up on Kincaid Street, the firemen were tremendous. I certainly wouldn't have fought as hard as they did to try to save the adjacent homes when this thing was blazing. They gave their lives to fight this City abandoned home that went on fire. That's one of my concerns, also, not to see one of these folks get hurt because something should have been torn down months ago.

**Michelle Madoff:**

One last question. These properties, are they owned by absentee landlords?

**Mr. Flanagan:**

I would say many of them are tax delinquent and I think we need to look at why do these people get the chance to walk away from them and move out to the suburbs and why aren't we going back after them for them to pay for the demolition.

**Michelle Madoff:**

That was exactly what I was going to say.

**Mr. Flanagan:**

We haven't researched that far enough to know what the details and the legal details on that are.

**Michelle Madoff:**

We can meet and talk about it but I'll tell you what's happening, exactly why it isn't happening.

**Mr. DePasquale:**

Mr. President, I wanted to commend these people for their actions in that area; it's been long overdue. But throughout the City we have those problems, especially in the Hill District. I'm just curious, the 60 buildings you've designated, have any of them been designated for demolition? I know it's only been a couple of weeks.

**Mr. Flanagan:**

The Bureau of Building Inspection has been really cooperating with us and they have over 17 that are already listed for demolition. The contracts, necessarily, have not been let.

**Mr. DePasquale:**

Out of the 60 that you've looked at?

**Mr. Flanagan:**

All 60 are not demolitions, though. We don't want to demolish properties that can be saved. So, there isn't necessarily 60.

**Mr. DePasquale:**

But at least 17 of them have already been designated for demolition.

**Mr. Flanagan:**

Yes. And then that's the whole other issue that you folks probably need to look at, the horrible situation with the demolition folks that are doing the work. It's very bad.

**The Chair:**

Thank you very much.

**Michelle Madoff:**

Would Evanne Addams-Wawrzonek and Mary Stawovy please come forward?

**Michelle Madoff presents**

No. 1084 WHEREAS, Karuzela, a Polish song and dance ensemble, is sponsoring a visit to Pittsburgh by Slawek Walesa, the 16 year old son of Solidarity leader Lech Walesa, on the weekend of July 15-17, 1988; and

WHEREAS, Slawek Walesa is being brought to America through the efforts of AmeriCares, a national non-profit organization that raises money for the purpose of sending medical supplies to Poland and other countries in need; and

WHEREAS, a special presentation in honor of this historic visit will take place on Saturday, July 16, 1988 at the Station Square Festival Tent from 12:00 noon to 1:30 p.m. where national and local Polish dignitaries and Solidarity advocates and speakers will be present to honor Slawek Walesa as the poster child for AmeriCares, and for his father's tremendous effort and success in the Solidarity movement; and

WHEREAS, all funds raised from this event will be donated to the AmeriCares organization, which has delivered over \$50,000,000 worth of donated medicine and supplies through the Polish Catholic Charities commission to health professionals in Poland since 1982.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby welcomes Slawek Walesa to Pittsburgh and further offers a

tribute to Karuzela, a Polish song and dance ensemble, for their efforts on behalf of the people of Poland.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Ms. Addams-Wawrzonek:**

On behalf of the Karuzela Song and Dance Ensemble, we'd like to say thank you to City Council. This event we are very proud to present from Karuzela. Slawek is coming from Poland; he is touring all over the United States to raise money for the AmeriCares Organization. We're very proud to have him in Pittsburgh because his schedule is very, very hectic and we consider ourselves very lucky to have him. So, we have invited everyone to come to participate and we thank you very, very much.

**Mr. Lyons:**

He's already here, isn't he?

**Ms. Addams-Wawrzonek:**

He's here; he was in Wilmerding yesterday for a Mass but that was a private affair. This is a public affair at Station Square.

**Mr. Ferlo:**

How do individuals make contributions to this group?

**Ms. Addams-Wawrzonek:**

Individuals can make contributions through the Karuzela Song and Dance Ensemble with checks made out to the AmeriCares Organization. It is a

national non-profit organization.

**Mr. Wagner presents**

No. 1085 WHEREAS, the 69th Annual Veterans of Foreign Wars, Department of Pennsylvania and the 64th Annual Ladies Auxiliary of the V.F.W. will convene their state conventions on Wednesday, July 13th, with memorial services at 7:00 P.M. in the ballroom of the Pittsburgh Hilton Hotel; and

WHEREAS, the conventions will run from July 13th to July 16th, and will include the Annual Convention Parade on July 15th through the streets of Downtown Pittsburgh; and

WHEREAS, a concerted effort will be made to encourage the 240,000 plus Veterans and the Ladies Auxiliary of the V.F.W. to participate in the political process by registering to vote.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the Veterans of Foreign Wars and Ladies Auxiliary to Pittsburgh and wish them a most successful convention; and

BE IT FURTHER RESOLVED, that the Council extends sincere thanks for the past and continuing contributions made by the members of the V.F.W. and Ladies Auxiliary to our City, State and Country.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Thank you, Mr. President. I will personally present this resolution this

week to the convention here in Pittsburgh and I appreciate your support.

**Mr. DePasquale presented**

No. 1064 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of office equipment for the Bureau of Building Inspection, Department of Public Safety at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1478.

Which was read and referred to the Committee on General Services.

Also,

No. 1065 Communication from Director Cannon, Department of Public Safety, requesting authorization to amend Council Bill No. 840, the amended travel request would also give permission to Battalion Chief John Zagrocki to attend the National Fire Academy for the same course but from June 6 - June 16, 1988. Battalion Chief Zagrocki's travel request was to be included on the same piece of travel legislation but was omitted in error. Chief Zagrocki will attend the National Fire Academy in Emmitsburg, Maryland, for a course entitled, "Command and Control Operations," at a cost not to exceed \$424.00, payable from the PSTA Code Account, Bureau of Fire, Department of Public Safety. Permission is also requested for use of a City vehicle.

Which was read and referred to the Committee on Public Safety.

**Mr. Lyons presented**

No. 1066 Communication from Director Lurcott, Department of City Planning, requesting authorization for Ed Wells to attend and participate at the Urban and Regional Information Systems



Association Conference, in Los Angeles, California, August 6-11, 1988, at a cost not to exceed \$980.00, payable from Code Account No. 1103, Miscellaneous Services.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1067 Resolution transferring \$20,000.00 from Code Account 1977 (197707), Utilities, Purification & Pumping Division, Department of Water, to Code Account 1984 (198408), Repairs, Distribution Division. Additional funds are needed to carry the division through the balance of the year. During the first and second quarters of this year two backhoes and a large crane truck have been out of service requiring extensive repairs. These repairs were expensive and necessary in order to restore this equipment back to service in a timely manner.

Also,

No. 1068 Resolution transferring \$35,000.00 from Code Account 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1921 (192104), Premium Pay, Administration Division, Department of Water. The need for a transfer was created primarily because additional overtime hours have been required during our new billing system conversion and file maintenance data "clean-up" associated with the billing system conversion. Also, the need to work personnel for both overtime and in-grade hours have resulted because of several vacancies in our Customer Service Section.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1069 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a "Citywide food distribution and services program" at a cost not to exceed \$100,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1070 Resolution providing for the issuance of a warrant in the amount of \$200,000.00 to Ronald Nestor, individually and in his capacity as Administrator of the Estate of Marianne Nestor, deceased c/o Emil Pecori, Esquire, 906 Standard Life Building, 345 Fourth Avenue, Pittsburgh, PA 15222 in full settlement of a wrongful death action on September 24, 1984, that occurred at Penn and Negley Avenues, payable from Code Account No. 46, Judgments.

Also,

No. 1071 Resolution providing for the issuance of a \$1,906.46 warrant in favor of Joseph J. Gluvna II and Marsha R. Gluvna in settlement of claim for

automobile damage by a Department of Public Works vehicle on Brighton Road and Pennsylvania Avenue on May 25, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 1072 Resolution authorizing and directing the Director of the Department of Finance and the Director of the Department of Parks and Recreation to convey a portion of Block 34 D, Lot 20 in the 18th Ward, and accept a portion of Block 33 E, Lot 50 as an exchange of property under certain terms and conditions.

Also,

No. 1073 Communication from Mayor Sophie Masloff, City of Pittsburgh, requesting authorization for Mark Zabierek to travel to Harrisburg, PA on various dates through August 1, 1988, to meet with State Legislators regarding the Tax Reform Package, at a cost not to exceed \$2,500.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office. (PRIOR APPROVAL GRANTED)

Also,

No. 1074 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for Paul Krall, Technical Services Leader of CIS, to attend the seminar entitled, "Management Problems of the Technical Person in a Leadership Role," August 5, 1988, in Coraopolis, PA, at a cost not to exceed \$195.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems. This seminar is specifically designed for the technical person and has training sessions devoted to answering the questions of leaders from technical backgrounds.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1075 Communication from President Pro tem Ben Woods, requesting authorization for Kurt Salac, Administrative Assistant, to attend the 1988 Governmental Accounting, Auditing and Financial Reporting Seminar to be held in Dallas, Texas on July 22, 1988, at a cost not to exceed \$1,100.00, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1076 Resolution amending Section 1 of Resolution No. 987, approved December 4, 1987, entitled: "Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs," by providing for scheduled fees only for the year 1988.

—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Parks and Recreation.

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## REPORTS OF COMMITTEES

### Mr. Wagner presented

Bill No. 1077

Report of the Committee on Finance for July 6, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 905

A Resolution entitled, "Resolution providing for an Agreement with Pittsburgh Steelers Sports, Inc., the Stadium Authority of the City of Pittsburgh and consented to by Pittsburgh Baseball Associates."

Which was read.

### Mr. Wagner:

Mr. President, in regard to Bill No. 905, first of all, I'd like my comments brought forward for the Record from last Wednesday's meeting. It pertains to the Steeler agreement and we've had considerable dialogue on this issue for the past several weeks. We have received various information including the agreement itself from the Administration; there's not much more to be said about it. I think there are some good things and some bad things about the agreement and I've indicated that in the past. The reason why the agreement was struck was due to a couple lawsuits, the one in particular pertaining to the Maulers playing at the Stadium for one year which the Steelers felt that that violated their original agreement at the Stadium. Therefore, the Court of Common Pleas tried to reach and out of court settlement with this agreement.

The only item as part of this settlement that I strongly disagree with is the escape clause which permits the Steelers to leave the Stadium and possibly the City of Pittsburgh and/or Allegheny County in the year 1999. That portion of the agreement I strongly disagree with; that's the reason why I have voted against this at last Wednesday's Standing Committee Meeting and the reason why I will vote against it again today. I do not want to be part of the Pittsburgh Steelers possibly leaving the City of Pittsburgh in the future. I can say no more than that.

### Mr. Ferlo:

Mr. Chairman, just very quickly, I would like my comments brought forward also from the Committee Meeting.

(REMARKS ON FOLLOWING PAGES)

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(MESSRS. FERLO'S AND WAGNER'S REMARKS ON BILL NO. 905 -  
WEDNESDAY, 7/6/88)

Mr. Ferlo:

Mr. Chairman, on this particular issue, I think the Administration has done well and has probably the best possible arrangement on behalf of the City as well as the taxpayers. I think clearly from the previous Pirate deal, the issue of the favorite tenant status, I would think very strongly that the Steelers probably would do well in the court of law, given some precedence has been set on this issue. And I think the Administration has done well in terms of working out the best possible deal.

There are some things, as the Chairman has pointed out, that are not that desirable in terms of the potential of the Steelers leaving earlier in the decade than what we would hope for. But all things being equal, I think it's important to move ahead and support the arrangement that has been suggested, and I think also that Judge Cappy has put a lot of time and effort into this arrangement. And again, I think it's important that we move in support of this resolution.

Mr. Wagner:

I would like to add a comment on this. Prior to that, I made a motion a couple of times here at this Council to hold the bill, I believe twice or possibly even three times, so I would have the opportunity to review the agreement further. And initially it was Councils' desire, I believe, to have an independent lawyer review this. I know Council President Woods initiated a letter. Unfortunately that never happened because we only got four signatures on the letter. Therefore, we could not have five people from Council to get the signatures. I believe in addition to Mr. Woods and myself, Mr. DePasquale and Mr. Ferlo signed it, and I thought at the time that was the proper thing to do; to get an independent evaluation because I, like all of you, feel that the Administration has done an incredible job here in terms of negotiations with Mr. Jacoby and Mr. Donahoe. And it is a very difficult issue that involves potentially two lawsuits in regard to the Steeler organization and the operation of Three Rivers Stadium.

I have the highest respect for the Steelers, for the Rooneys, for the McGinleys, the families that own that team and what they have done to this City to make this a better town.

The position that I'm taking differs I believe from all of you and is not a popular position, but I feel it's in the best

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interest of the residents of the City of Pittsburgh over the long haul -- not necessarily the short haul, but the long haul. And when I say the long haul, I mean going beyond 10 years because right now today we have a lease agreement that goes to the year 2010 with the Pittsburgh Steeler Organization. This agreement has an escape clause that begins in year 1999.

All parts of the agreement, I agree with basically, which is to give the Steelers many additional advantages, particularly from an economic point of view operating here in the City of Pittsburgh, and I think that is necessary primarily because it's going on country-wide and sports franchises have become much much more available.

Recent examples of that are the relocation of three teams; St. Louis to Phoenix. Two others recently were Baltimore to Indianapolis and the Oakland Raiders to Los Angeles. We have also had numerous examples of teams staying in the immediate vicinity and moving outside those cities. Examples of that are the Los Angeles Rams that have moved to Anaheim, the Jets and the Giants who have moved to New Jersey, the Meadowlands. Miami has built a new stadium, and there are many many others. I think the escape clause in this agreement gives the Steelers the opportunity to do that if they desire to do it in the year 1999 by giving notice in 1997. That is what concerns me.

We have placed a cap on the rent in this agreement at the 1986 level which is a tremendous economic advantage to the Pittsburgh Steelers in that as the ticket prices go up in future, which they will go up significantly and they have since 1986, the Steelers will pay no additional rent.

As the Steelers negotiate for more exhibition games and possibly additional games added to the schedule either through exhibition or possibly through post season games, they will not pay any additional rent because of the cap placed on the rent. Or if the tickets go up significantly more in the years to come, as the value of these franchises increase, they will not pay any more rent than the 10 percent level of 1986.

Some other additional items that have been granted, I think all of you are aware of. Both Mr. Jacoby and Mr. Donahoe have discussed those at the table; to build additional lounge boxes, to relocate the baseball visitors locker room; in essence, to give the Steelers more space for their locker room and training facilities at the stadium.

We have put a reduction on the rent to five percent if they leave the stadium but stay in the County, however, that is subject to possibly jurisdiction by the Court of Commonpleas.

In addition to that, there are many other little items in this agreement, and as you read it, they could be significant advantages, I believe, for the Pittsburgh Steelers if they did leave by delaying payment of rent until May 1st of the following year, and several other significant items.

There is one area of the agreement that concerns me, and it is page 16, 307, and I want to read that, and I will summarize my comments, and we can vote on the bill. But it reads as follows:

The City and Stadium Authority hereby acknowledge that if it is the football club's desire to continue to operate in the Pittsburgh metro area indefinitely, irrespective of the term of the football lease, therefore in the event that the football club exercises its option to terminate the football lease in order to relocate to a stadium within the County of Allegheny, the City and the Stadium Authority shall enter into good faith negotiations with the football club towards reducing or eliminating the rental continuation payments for so long as the football club remains in the County of Allegheny.

Now I don't know of the County subsidizing the City for the operation of the stadium. True they did make a commitment for the Pittsburgh Pirates back two years ago when we were going to sell the stadium with a lease-back agreement and our cost of purchasing a portion of the Pirates was to be about \$850,000.00, Commissioner Flaherty made a public commitment to pay for half of that, \$426,000.00. As everyone knows, that agreement never went through in that state, and we went to a bond issue, and our cost is not \$850,000.00 a year, it's \$2.1 million a year. But they did make a commitment under the original agreement to help us with the Pittsburgh Pirates. Incidentally, they made that payment in 1986, but they have not made it in 1987 or 1988.

But the point is that I think this agreement gives this football club the opportunity to go outside the City of Pittsburgh if they so chose, and the terms of the agreement make it almost to their economic advantage if an offer is made by a community within Allegheny; Moon Township, Cranberry Township, where there are significant parcels of land that exist in the City of Pittsburgh, or around the City of Pittsburgh I should say. It won't help the City of Pittsburgh because we will lose significant dollars if this team were to leave and also the prestige and respect.

We know we have lost the steel industry to a great degree in this City and region. I would not want to be part of us losing the Steelers 10 years down the road.

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I always heard by our Solicitor and assistant city solicitors that we had an iron-clad lease at the stadium, and there has been some talk recently that it may or may not be because of the Maulers situation. I don't think personally that we would have lost that. Some people say we would have. But I still believe that it's in the best interest of this City to keep professional sports franchises locked into lease agreements if it's at all possible, and if we don't, our long term debt at the stadium will increase significantly plus the windfall impact of other taxes and other business that support that stadium and that organization.

In summary, I want to say that I am voting against this only for one reason; it's the escape clause.

I personally wish that we would have put some other items into the agreement such as increasing the seating at the stadium possibly in place of the escape clause. I sense though on this Council that the votes are here for this bill, and I spoke with the Steelers, Dan Rooney and Art Rooney. I have spoke with Judge Cappy and I have spoke with our people within the Administration and told them my reasoning behind voting against it and basically I do not want to be a cause of this team leaving the City 10 years down the road, and that's the bottom line reason for why I am voting against this bill.

I will continue to work and do whatever I can to increase the economic conditions of teams operating at the stadium as I have done in the past with improved traffic flow conditions around the stadium, on the 6th Street Bridge, lane changes, making sure that we do everything we can in the future to help these organizations. I believe that commitment has to go forth all the time; not only for the Steelers, but also for the Pirates, and I believe it will with this Administration and this Council.

But in summary, I'm going to vote against the bill, and the reason is the escape clause.

Mr. Ferlo:

I will be very brief since we talked about this at length. I want to thank the Chairman for reviewing these documents and taking the time to talk to a lot of people. I think you made a couple of important observations.

I had sensed earlier from the discussion from Mr. Jacoby and Director Turner that there was a willingness on the part of the Administration to continue discussions with the appropriate parties on the issue of the seating that was discussed at the

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last meeting; is that correct.

Mr. Jacoby:

Certainly.

Mr. Ferlo:

And secondly, I concur with you, Mr. Chairman, about the issue of the problem potentially with the earlier date in terms of 1997 notification for leaving the stadium, and I think your observation about a community such as Moon Township and some of the other development around the airport with all of the multi-millions of dollars of development and road systems being built that that is very clearly a possibility that exists.

And I disagree with my colleague Michelle. I think everything in this contract does suggest at least a better scenario whereby the Steelers might want to leave in the 1997 period. So I think what I would like to hear briefly from the Administration is a response to that specific observation on your part which I concur with but am somewhat at a loss to try to decide how this Council can best play a role in making sure that that doesn't happen.

And relative to approving this document, there are still things that we have not talked about that I would hope it's the Administration's concern, as I think it has been, in addition to seating, and that is the issue of the road system in and out of the stadium and a whole broad range of other issues that the Pirates as well as the Steelers have raised in the past about problems with stadium facility.

So I would like to have at least the Administration's response relative to this particular point.

Mr. Donahoe:

The clause on the Allegheny County move was really initiated, of course, by the Steelers, and here is the premise that they set up to the Judge and to us in negotiations.

Suppose that ten years from now they make the decision that they will leave Three Rivers Stadium which under this agreement they have the right to do. Setting that up as the premise, what if they decided however that they would be willing to keep the ball club in - their position was western Pennsylvania at the time -- but for some reason wanted to move it from its present location. They wanted the City to at least agree to sit down with them at that time and discuss whether the rental



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continuation payment could be adjusted; in other words, would the City see it as a benefit to the City to keep them in the region and therefore be willing to discuss the rental continuation payment. After some negotiation, we decided that we would agree to that provided it was limited to Allegheny County, that their decision to move would have to be limited to Allegheny County, and then the City would sit down and discuss it.

There is no requirement for the City to agree to eliminating the rental continuation payment, nor is there any prohibition for the City going to whatever community they are going in and trying to strike some arrangement about it that would be mutually beneficial to each party. But it was simply the club wanted to feel that if they made that decision but were willing to stay in this community in general, that the City would be willing to discuss that problem with them at that time, and that's what was agreed to and that was the motivation for it.

Mr. Ferlo:

That's it.

Mr. Wagner.

I have one final comment, and then we will vote. I think it's in the best interest obviously for the City to do things that we committed to do back when the stadium was built. And obviously that is happening right now today with the continuation of the North Shore Expressway and the roads going west to Route 60 and the West End Bridge, improving accessibility to the stadium, and in doing that and enhancing the stadium, and in any way that helps the sport franchises, will enhance the potential of keeping them here, even in the year 1999, and that certainly needs to be done. Any development that goes on around the stadium -- of which some of it I have been opposed to and the Steelers have been opposed to such as a garage at the stadium -- development must be consistent with the stadium itself. And that is the focal point, I believe, over there, and everything must be built with some concern about sport franchises that operate within the stadium if we want to keep them here in that stadium. And that is something that all of us will have an impact on in the future whether it be local, the City of Pittsburgh, the county, the state or federal monies, and I think that is very important.

One final comment. I read the lease quite differently, Councilwoman Madoff, and what I see is with the escape clause that if this team leaves the City of Pittsburgh, we lose

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somewhere -- and these are Mr. Donahoe's figures -- somewhere around \$2 million per year when you consider the taxes, the rent of \$850,000.00 per year. And when you begin to consider the spin off impact, we lose all of that economically, and then we lose the recognition, and that's one of the reasons why I wanted to have an independent third party evaluate this, and I wish it would have come to that. It didn't. I see no reason to hold this bill longer, and for that reason, I'm going to ask the City Clerk to call for the vote.

**Mr. Ferlo:**

I think it's important that we do approve this resolution. I concur with my colleague, Mr. Wagner, on the issue of the potential threat of the Steelers leaving earlier and in fact giving notice to the City as early as 1997. However, the previous Council, in approving a \$21 million bond issue, quite frankly, in reviewing the legal argument presented by the Steelers to the court, to Judge Cappy, it's very clear from the previous policies of this Council, and specifically their so-called favored tenant status and the lease arrangement with the Pirates, I feel quite strongly that the Steelers stand to win any legal argument in a court of law. I don't think the Administration, quite frankly, on this issue has worked out the best possible arrangement and scenario to protect the Steelers.

I think what's important, though, is that some of the other issues be addressed by the Administration in the coming years and they have something to do with the seating that was discussed by Mr. Wagner and others as well as problems with the Stadium in terms of the roadways and other issues that have been addressed and raised by the Steelers as well as the Pirates over the years. I think it's important that those issues be addressed to make sure that they aren't the Moon Township football team ten years from now.

So, very clearly, I think we need to support this. I think Mr. Wagner has raised some legitimate concerns but I think it's up to the Administration to continue to resolve some of the concerns that have been raised by the Steelers as well as the Pirates over the last few years.

**Michelle Madoff:**

I disagree with my colleague, Mr. Wagner. I believe that the team could leave at any time if they were offered facilities and contracts elsewhere that would allow them to continue paying off their debt here while they were still leaving. I think it's not even a factor. I think they worked out a contract where we get a great deal of money that we would not have gotten previously and will continue during the length of the contract. It is certainly a contract that is better for the City than the one we had. And furthermore, there is no question in my mind that Judge Cappy who worked on this I believe for almost two years and tried to work with both sides, and my great concern if we delayed it another moment was that the people who are representing the team are now beginning to say, "I don't know that we gave the store away; maybe we want more for ourselves. I think we gave too much away." Subsequently, I think we ought to get on with the bill, approve it, because it's a good bill for the City of Pittsburgh.

I would like to just make one correction that gets perpetuated over and over and over again. This City did not give \$21 million to the Pirates. There is a franchise that's worth \$80 million and we loaned \$21 million against a secured note. Thank you.

**Mr. DePasquale:**

Mr. President, very simply, it's the best agreement possible to protect the City and the taxpayers and I'll vote for it.

**Mr. Pollock:**

I'll have abstain today since I haven't had time to review all the bills.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Michelle Madoff  |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. WAGNER VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 970

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$16,178.80 in payment of Design Services in connection with the Reconstruction of a Retaining Wall at Phelan Way; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

(MR. POLLOCK ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 975

A Resolution entitled, "Resolution transferring the sum of Thirteen Thousand Dollars (\$13,000.00) from the Community Communications Trust Fund, Index Code 250555, Bureau of Cable Communications, Department of Public Works to Code Account 1154-1, Department of General Services, Rental of Motorized Equipment as reimbursement for one (1) used City vehicle utilized by the Bureau of Cable Communications for on-location TV production for the City's Cable Communications Channels."

Which was read.

Also,

Bill No. 1000

A Resolution entitled, "Resolution providing for the transfer of \$128,000.00 from the Department of Water, Municipal Obligation for Non-City Water, Code Account 1926 (192609) to Code Account 1927 (192708) Refunds."

Which was read.

Also,

Bill No. 1004

A Resolution entitled, "Resolution Repealing Resolution No. 271, Item J, approved March 16, 1987, which authorized the sale of property in the 18th Ward, being vacant lots located at 40 and 44 Hanover Street, designated as Block 3P, Lots 56 and 57, to Henry J. and Joann R. Metting, for the sum of \$750.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale:**

Point of order, Mr. Chairman. I wonder if we could officially welcome back Mr. Pollock.

**Mr. Pollock:**

Thank you, Mr. DePasquale.

**Mr. Ferlo presented**

Bill No. 1078

Report of the Committee on Public Works for July 6, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 976

A Resolution entitled, "Resolution granting unto Beechview Manor, Inc. its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense a pedestrian bridge over a portion of the Right-of-Way of Crosby Avenue in the 19th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1079

Report of the Committee on Planning, Housing and Development for July 6, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 588

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Allegheny County Medical Society located at 713 Ridge Avenue, zoned "R5" Multiple-Family Residence District, to expand their facility to include additional parking at 701 RIDGE AVENUE and to occupy the church building with proposed extensions at 717 Ridge Avenue, 22nd Ward."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on Bill 588, the Medical Society zoning, I would like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

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MR. FERLO'S REMARKS ON BILL NO. 588 - WEDNESDAY, 7/6/88

Mr. Ferlo:

Mr. Chairman, this was a lengthy public hearing before Pittsburgh City Council. I thought there were a lot of speakers. All that spoke in favor of the proposal were directly involved or directly represented the interest of the Allegheny County Medical Society. There were, however, a multitude of people from the community, some adjacent property owners, some property owners in the area, as well as others who have best described as concerted neighborhood advocates for the neighborhood, who were clearly in opposition to this conditional use exception.

I think it's important that City Council defeat this resolution and not allow the conditional use to take place for a number of different reasons which I will review very quickly. And this is in light of a lot of the testimony brought out at the public hearing.

In 1970 when the Medical Society was first given the okay to be housed at that facility in the area recognizing that it was zoned residential, it was a much smaller facility. What is actually being proposed here in terms of this conditional use is not a logical extension to this much smaller facility that has existed in the community for a long time. What really is being proposed is a major expansion, and what I would best describe as a Medical Society conference center with a major expansion of a diningroom, kitchen facility, office space, and again I don't see it as a small tangential expansion of their facility. I think it's a major development of a complex that is going to be built in the location of the property.

The Medical Society in fact in the faith has not shown and in the past has not shown good faith to the City and to the Board of Adjustment, to the Planning Commission nor to the neighborhood in some of their activities; basically taking over and demolishing a building without proper permits. They basically paved an area without the proper legal authority to do that. I am concerned about that because I think it sets a bad precedent for others who we expect to make sure they have proper permits and the authority to do whatever it is they are doing with their property.

I reviewed the floor plans from the architect doing the work for the Medical Society, and it basically confirms what I am talking about in terms of the major expansion of this facility with the designing and the office space and the conference nature of this building.

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It was very clearly expressed by neighbors and property owners in the area that what is really needed for that area is residential development. And the Medical Society was unwilling to participate in a compromise whereby some of the frontage of the parking lot in question either along Ridge Avenue or along the side of the property would be considered for residential development be somewhat of a buffer between the Medical Society and the residential quality and character of the neighborhood along the park. They are unwilling to do that.

It's very clear to me that if there were in the future a situation involving the School Board building on the opposite side of this property in question, judging from past actions of the School Board and the City Planning, URA, most of the buildings that the School Board has given up, there have been many examples whereby they have been developed for residential property, and I think that would probably potentially be the case with the OVT Building. What I am suggesting then is there is at least a scenario over the next decade for residential development in that area, in addition to all the investment and capital that has been put in by the City, as well as private property owners in the area, to enhance the residential quality of the area around West Park. I think we should reinforce and enhance that residential development, not only because it makes more sense in terms of the character of the neighborhood, but even from a financial point of view.

The Medical Society says even though they are non-profit, they have been paying real estate taxes, and it's true. I checked the records. They pay about \$5,000.00 in taxes yearly to the School Board and to the City, but we must admit quite frankly that if there were private homes or residential development on that property, we would be collecting revenues far greater than the \$5,000.00, not only in personal property taxes, but in wage taxes of people who would be living in those homes around the West Park area, Allegheny West area.

I think we should spur that development. We are approaching the 1990's. The area in question, when the Medical Society first moved there in 1970, I would argue is a different area than what is there now and what potentially can be developed in the 1990's, and I think we have a responsibility to spur economic development, in this case, housing development of a quality residential nature around that park area to compliment all of the other development that the private owners have done over the years as well as the massive infusion of public dollars we have spent.

If this were not the Medical Society and all the power and



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influence and prestige that they had at the microphone, if this were a VFW or an American Legion in one of the working class neighborhoods of the City, and they wanted to expand their operation to put a new bar in or a meeting room, and they were going to take over a residential neighborhood, I think it's very clear that this Council would not allow that to happen. And I think we are allowing that to happen basically because of the climate -- Excuse me, Mr. Woods, I have the floor. But I think there is some prejudicial treatment by this Council as it relates to the Medical Society as opposed to others. One individual citizen described the place as basically a club for the physicians, and I would have to agree with that to some extent.

Again I would ask that we not approve this resolution. I think we should deny the conditional use exception for some of the reasons that I talked about, and again I think we have to send a clear message to City Planning and to the URA and to the neighborhood groups and that is that we would like to see residential development keeping in character and in line with all the other private investment of property as well as the City dollars that have gone into that area.

So I strongly ask that, in addition to Michelle who I believe is going to vote no on this, that one of you at least vote no on this so we can defeat this. Thank you, Mr. Chairman.

(deleted context)

Mr. Ferlo:

Mr. Chairman, when this bill first came to my attention prior to the public hearing, my attitude quite frankly was I'm going to vote for this. It doesn't seem like a big deal. But after listening to four hours of testimony from the community and better understanding not only the particular issues involved as they perceive them as neighborhood people, but the diverse City-wide issues that were presented as a matter of public policy, I see this as a City-wide issue. It's not just an issue affecting the neighbors in that area. I'm saying as a City-wide elected official, I'm concerned about increasing residential development of the quality that has the potential for this area, as opposed to conference center activity of the Medical Society. I see it as a public policy, as a City-wide issue that I hope all of us are concerned about, and I think we are all concerned about it.

Now we are going to have differences of opinion. Obviously I'm trying to sway one other person in opposition to this.

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In response to my colleague Mr. Coyne, my comment was not directed specifically at a bias that any Council might have. I am suggesting, however, that relative to the Medical Society and the climate of all of the heavy-duty folks that came to the microphone -- and I'll use an example. If this was a VFW in Squirrel Hill in a residential community who has been there since 1970 and existed cooperatively in a residential neighborhood and they had proposed now to come to this Council to expand let's say across Beechwood Boulevard or anywhere else into the residential character of that neighborhood, this Council would resoundingly defeat that conditional use, and I put my whole paycheck on that.

And I am saying that what the Medical Society has been successful in doing -- and I give them credit because they are trying to lobby for their interests -- is create a situation whereby Council has received at least -- my office has received at least 50 letters from prominent physicians and medical and professional associations. I think the individuals that were paraded before this Council, I think it has attempted to create a climate whereby replacing a different value on the character of the individuals who came in defense of the Medical Society then we would if this were a situation where the VFW wanted to expand in a residential neighborhood. I believe that very strongly, and I hope I will be proved wrong in the future on this situation, Mr. Woods. But I don't think I will be. But I think this is a City-wide issue, not just a parochial neighborhood concern.

(deleted context)

Mr. Ferlo:

Very quickly in closing, I think when people bought homes and made major investments into that part of the neighborhood recognizing it was an "R5" area, that at least implied promise or applied commitment on the part of this City and Council to those individuals and families who purchased homes and wanted to develop the residential quantity of that community, and I think in approving this, we are countermining that previous promise or at least implied commitment that has been made with the zoning of that area as "R5".

The development, the massive amounts of money that this City has spent -- and for instance the Deutchtowne Square area which I would frankly consider less attractive potentially in terms of residential development than this piece of property which sits directly across the street basically from the park, I think there is much more likelihood of quality residential development from a financial point of view on this piece of

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property as opposed to some of the other massive amounts of public dollars in other parts of the North Side area.

My only point about the OVT Building was to just suggest there is a clear track record on the part of the School Board and various neighborhood community development corporations that when buildings have become available, whether it's recently or 10 years from now, that often times a School Board will look to a neighborhood CDC for a potential residential type of development for those buildings as opposed to just boarding them up or closing them up or turning them over for commercial use. And I'm saying that in terms of that general area that that is a possibility. That may not happen for five or eight years or ten years. I was only pointing out that was a possibility.

Lastly in closing, I don't see this solely as a parochial issue just dealing with the neighbors concerned about their residential neighborhood. I see this as a City-wide public policy issue as to whether or not we want to support economic development in terms of the building of residential quality homes for tax base as opposed to letting the boys club expand their facility, and I think that's basically what this is doing.

**Mr. Ferlo:**

Again, I would ask Councilmembers to please vote this down. As far as I'm concerned, the zoning would amount to what I best could describe as manifest destiny for the Medical Society.

As discussed in the Committee Meeting, it was clear that the period of 1970 when the Medical Society first entered the property to set up their association and the activities that they were engaged in, is a much different period than it is now as we approach the 1990's. If we approve this zoning, we're condoning and sending a message to any private property owner that they can do whatever they want on property adjacent to them. Again, I point out that the Society broke the law in their activities in the past. I don't think we should condone that; I think it sends a very bad message to people throughout the City, business owners as well as private property owners.

I made the argument at length in the Committee Meeting, apparently unsuccessfully, that this is an area that is prime potential for residential development. I also make the point, and I hope that this will be a legal interpretation in the future, that what is being proposed here by the Medical Society is in fact a major expansion and a fundamental change of the nature of their property. It is in fact the development of a major conference center with kitchen and conference rooms, offices. It's fundamentally different than what they have presently in their facility. If anything, I'd like to see these private physicians who have great wealth continue to have to use the Downtown hotels and motels for their conferences and meeting rooms instead of having the luxury of expanding onto property which really should be residential.

Councilmembers are completely wrong in their assessment that the area is not that residential or that somehow because the Society is boarded to the right by the Community College and to the left by the OVT building of the School Board, that somehow this area is less than residential in character. That's just not true. Much more money can be made from the residential development of this land as opposed to the expansion of the doctors, the boys' club which was best described by one of the citizens.

Again, I ask Councilmembers to reconsider. Let's not send that kind of a message out to property owners. Let's maintain the integrity of the Municipal Code, the promissory intent that we created by making that an R-5 area, a residential area, and not an institutional area. Please, reconsider and vote no on Bill 588.

**Mr. Lyons:**

Mr. Chairman, I think in the dissertation of Mr. James Brown, he pointed out very clearly that there hadn't been a resident there for several years. I think it was all clear to us.

And then on the other hand, very quickly, Attorney Allen Brunwasser has intimidated, I think, this Council by stating that if it passes he's going to sue. So, I'm saying that that's his choice and whatever the choice of the Council is is the Council's choice, and so be it.

**Mr. DePasquale:**

Mr. President, I'm prepared to vote for the bill but are we clear on the matter of legality? Is it really a legal bill? I'm not mentioning so much Mr. Brunwasser but several responsible people over the weekend have called me and felt that the bill was illegal. Did we get a legal opinion on it?

**The Chair:**

Planning and Mr. Brown have approved the bill so evidently it's legal. They have a law department; they conferred with our Law Department and it has to be legal or else they wouldn't have approved it and sent it up to us.

**Michelle Madoff:**

Mr. President and members of Council, if memory serves me well, this bill came to Council with three votes of a committee of nine. I've introduced a resolution which is only a will of Council but we have the State amend the Code so that when we get the bill at least there is a majority or we don't approve the bill.

If anyone, perhaps I should be abstaining from this bill because I have been directly involved with medical affiliations for many, many years. But I agree with my colleague, Mr. Ferlo, that what we're doing is setting a precedent not just for the North Side but for anywhere else in the community for anybody to do whatever they want to do.

Frankly, when the Medical Society pleads what a great citizen they are, what a great neighbor, that they give \$5000 in taxes to the City, may we point out that if we had a mini development of townhouses similar to that in the village of Shadyside, we would probably get ten times that in taxes. So, it is an empty threat that the Medical Society is going to leave. I don't want them to leave; on the other hand, I don't think we should infringe on the rights of all the citizens, not just the citizens of the North Side.

So, I am going to urge my colleagues to please vote against this bill. It's a very bad bill. And I'm not afraid of Mr. Brunwasser suing.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Wagner       |
| Mr. DePasquale | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 981

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc. for professional services in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 982

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Training Center for administrative/operating support, in an amount not to exceed

\$10,000.00."

Which was read.

Also,

Bill No. 983

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood-Brushton Improvement Association and the Urban Redevelopment Authority for the rehabilitation of a Personal Care Boarding Home."

Which was read.

Also,

Bill No. 984

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in an amount not to exceed \$22,944.00."

Which was read.

Also,

Bill No. 985

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield YMCA for administrative support in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 986

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Services for administrative

assistance in operating the Therapeutic Activity Social Services programs for the severely mentally impaired, in an amount not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 987

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Support (formerly Legal Advocacy for Women), an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments, in an amount not to exceed \$31,500.00."

Which was read.

Also,

Bill No. 988

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Montifiore Hospital for administrative assistance in operating their 'Living at Home Program' in an amount not to exceed \$39,000.00."

Which was read.

Also,

Bill No. 989

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the West End - Elliot Joint Project for equity assistance in the purchase of a building of mixed-use residential-commercial use, in an amount not to exceed \$7,500.00."

Which was read.

Also,

Bill No. 990

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community Human Services, Inc., and the Urban Redevelopment Authority for financial assistance to operate and expand their 'Social Service Program Facility' in an amount not to exceed \$60,000.00."

Which was read.

Also,

Bill No. 991

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beechview Manor and the Urban Redevelopment Authority for site work at the Beechview Manor Hi-Rise at a cost not to exceed \$16,500.00."

Which was read.

Also,

Bill No. 992

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the 'Commission on Families' program at a cost not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 993

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community

Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$240,000.00."

Which was read.

Also,

Bill No. 994

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community-Based Organizations and the Neighborhood Fund for community and economic development planning assistance in various neighborhoods in the City, in an amount not to exceed \$360,000.00."

Which was read.

**Mr. Lyons:**

Mr. President, I move that Bill No. 994 regarding the community fund of the \$360,000 be recommitted for a week.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Mr. President, in regards to all of the appropriations to the various agencies with the ULO grant, in light of the predicament that the Ernest T. Williams, Jr. Memorial Center is in relative to their finances, and it's my understanding that this Council has appropriated money to that agency in the past, I think its important that we re-issue some type of a directive to the Controller regarding the issue of auditing or holding these agencies accountable. I'm not suggesting that these other agencies aren't accountable; nothing of

the sort. I'm only suggesting that we have some very clear procedure by which this Council can be assured that the various neighborhood organizations and/or agencies receiving these funds are going to be held accountable for them. I think that can best be done by a communication from yourself regarding these grants.

**Mr. Lyons:**

Mr. President, the Ernest T. Williams Memorial Center is under fire; if it's not closed it's threatened to be closed and the building will be returned to the Catholic Diocese which they are now using. There's a big cloud there and I think we should be mindful. I support Councilman Ferlo in his review and observation of such conditions.

Also,

Bill No. 995

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, unemployed, disabled, and child care center, in an amount not to exceed \$35,000.00."

Which was read.

Also,

Bill No. 996

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse in an amount not to exceed \$17,000.00."

Which was read.

Also,

Bill No. 997

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center to provide administrative support to the Agency (Caregiver's Program) in an amount not to exceed \$19,566.00."

Which was read.

Also,

Bill No. 998

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Agency or Agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families, at a cost not to exceed \$33,922.00."

Which was read.

Also,

Bill No. 999

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$5,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"



The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 1080

Report of the Committee on Public Safety for July 6, 1988 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 977

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 8 - Fire Prevention, Article 29, Hazardous Materials and Chemicals, Chapter 803, Amendments, Section F-2901.2 of the Boca National Fire Prevention Code, by adding Item (1) including the NFPA 704 Identification of the Fire Hazards Materials, 1985 Edition."

—(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

There's a little bit of confusion, either by yourself and/or the City Clerk, or possibly myself. I have amendments to this bill from Assistant Chief Mellot; as you remember, we discussed this in the Committee. It does have to go to the Board of Code Review, apparently. So, we were incorrect in previous statements that we've made.

I'd like to know what point of procedure you would like me to follow.

**The Chair:**

I would ask you to recommit the bill, make the amendments Wednesday, and then refer it from there.

**Mr. Ferlo:**

If Mr. DePasquale would allow, I move to recommit this bill.

**Mr. Lyons** seconded the motion.

WHICH MOTION PREVAILED.

**Mr. Coyne presented**

Bill No. 1081

Report of the Committee on Engineering and Construction for July 6, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 971

A Resolution entitled, "Resolution amending Resolution No. 350, effective April 27, 1987, entitled: 'Providing for a Contract or Contracts, or use of existing

Contracts, for construction in connection with the Replacement of Roofing Systems at Various City Facilities; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$100,000.00 from \$500,000.00 to \$600,000.00."

Which was read.

**Michelle Madoff:**

I'm going to vote opposed to the bill because all roofing bills had a consultant which is absolutely unnecessary and I'm going to vote in opposition as a protest vote.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Wagner       |
| Mr. DePasquale | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 2

(MR. FERLO AND MICHELLE MADOFF  
VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale** moved to approve the Minutes of Monday, June 27, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Wednesday, July 13, 1988

No. 28

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL FERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Wednesday, July 13, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### REPORTS OF COMMITTEES

Mr. Pollock presented

Bill No. 1086

Report of the Committee on General Services for July 13, 1988 transmitting

one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 904

A Resolution entitled, "Resolution authorizing the City to incur Lease Rental Debt in the amount of \$7,900,000 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1988, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds."

Which was read.

#### Michelle Madoff:

May I point out that I just conferred with Director Botsford. They just did some quick checking in the market; the 6.3 percent, if we move on it quickly, we can take advantage of it. Interest rates are going up; we'd better move immediately to save the City thousands of dollars.

**Mr. Lyons:**

Mr. Chairman, I think the windows here have the right price for us to move in an affirmative way on this bond issue.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

**AYES 7 NOES 1**

**(MR. FERLO VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

**Bill No. 1087**

Report of the Committee on Public Safety for July 13, 1988 transmitting sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 708**

An Ordinance entitled, "An Ordinance amending Title 10, Chapter 1013 of the

Pittsburgh Code to allow public input into the Building Variance process." —  
**(SPONSORED BY MR. FERLO)**

Which was read.

Also,

**Bill No. 709**

An Ordinance entitled, "An Ordinance amending Title 10, Section 1002.01 (b) (4) to allow for union representation on the Board of Code Review." —  
**(SPONSORED BY MR. FERLO)**

Which was read.

Also,

**Bill No. 849**

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten - Building, Article III, Local Regulations, by adding a new subsection to the 1987 BOCA National Building Code which prohibits the use of plastic pipe, nonmetallic conduit, and electrical nonmetallic tubing for waste, vent, drain, and water supply in all buildings except one and two family dwellings." —  
**-(SPONSORED BY MR. WOODS)**

Which was read.

**Mr. Ferlo:**

Mr. Chairman, in reference to these three bills on which we have had lengthy discussion in the previous Committee Meeting, I would just like to say prior to their final approval I would like to issue a thank you to some of the trade unionists who are here in this room for the assistance they gave me in drafting these legislative initiatives and also to thank the Office of the City Controller, Mr. Flaherty, for his assistance also. Thank you.

**Mr. DePasquale:**

Mr. Chairman, I would suggest that if no one has anything new to add to these bills that we vote on them please.

**Mr. Pollock:**

I'm really in a bind on these bills because all three, I think, are somewhat controversial. I think all three were rejected by the Board of Code Review and there's a great deal of controversy surrounding them. It's never been in my history to abstain on bills in which there was any controversy but I just have not had time to prepare my vote or study these bills and I do not want to vote in a vacuum nor do I want to vote in a way that is not well researched and documented. I feel terrible. I'm sorry that the vote came up this quickly; I thought that it would be next week or the week after. I'm just not prepared to vote. So, against all my principles, I'm going to have to abstain on these three bills simply because I'm not prepared.

I'll simply say that I think there is merit to both sides' positions on these bills. I don't think they're as clear-cut as some individuals might think, and that there is a point of view against all of these bills. I wish that I would have had time to study it and come to a determination as to which way I would have voted and I'm sorry but I will have to abstain.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

And on the motion of Mr. Ferlo

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, July 18, 1988

No. 29

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, July 18, 1988

#### PRESENT:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

#### ABSENT:

Mr. Ferlo

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

#### Mr. Wagner:

Mr. President and Members of Council, this first resolution is shared with me by Councilman Jeep DePasquale, and I'd like to ask four people to step forward Shannon Capasso who won the Marbles Championship for the United States just recently. Shannon come on up please. Her mom GERALD LYNN Capasso; her coach Carol Simeone; and another coach actually two coaches Walt Lease.

Hi Shannon, how are you?

#### Mr. Wagner and Mr. DePasquale presents

No. 1127 WHEREAS, on Thursday, June 23, 1988, Shannon Capasso of South Side won the title, Queen of Marbles, at the National Marbles Tournament in Wildwood, New Jersey, by defeating 21 girls from across the Country; and,

WHEREAS, Shannon had to defeat a field of 250 competitors to win the Girls Division of the Allegheny County Marbles Tournament to qualify for the National Tournament; and,

WHEREAS, Shannon began her championship career just four years ago through the encouragement and coaching assistance of her neighbors Carolyn Simeone and Walt Lease; and,

WHEREAS, Shannon never let her dream of a National Title dwindle, even when she was down the first 2 rounds in a best of 15 rounds competition; and,

WHEREAS, Shannon Capasso has brought national recognition and attention to herself and her hometown of Pittsburgh;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the achievement of Shannon Capasso and congratulates her as she reigns as the 1988 Queen of Marbles.

Mr. Wagner moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd like to introduce Walt Lease first, who is a former employee of the City of Pittsburgh in the Parks and Recreation Department, he is one of two coaches; Carol is also a coach of Shannon.

I'd just like to say very briefly that Shannon was on the Tonight Show back on Wednesday, June 29th. We're very proud of her and we're very proud of all of you, her mom, the coaches, and Walt would you please come up and say a few words, and then introduce Shannon. Thank you.

Mr. Lease:

Let me straighten things out, I'm a volunteer worker after I retired with the City. The City dropped the marble program at one time. I'll give you a little history on it, but be proud of this City. The City of Pittsburgh when we go into competition over a period of years was built with our Recreation Program, the City Recreation Program, and unfortunately when Pete Flaherty took over — I'm an old time politician, and

Jeep I got to say hello, and before I go any further I want to just give you young Councilmen a little story about marbles in the City of Pittsburgh. It will be very short. It's about Mayor Lawrence and Judge Musmanno. The best set that I ever seen was shot — as many of you old-timers know that Mayor Lawrence worked late and so did Judge Musmanno and right in front on the foyer we had the three marble rings. Mr. Lyons is probably old enough to understand that, and they shot at 10:00 o'clock at night, and Lawrence won the first game, Musmanno won the second game, and Lawrence insisted that the final was who was going to buy the coffee on the third game, and Lawrence beat him seven to six with the final game

I want to go further then just introducing Shannon here, I'd just like to say I'd love to see Council bring marbles back into the City, because we're limited — I'm just a — my daughter coordinates the program for two months. We're not looking for employment or anything like that, but you got some wonderful people in Recreation, you got Arch Harv, you got all your supervisors, you got people in the field, and I want to say this because we've lost the Black shooters. We had the only three national Black shooter marble champs here, and I could stand here and tell you about Melvin Garland from Manchester who got picked up on the Boardwalk at 2:00 o'clock in the morning, not because he did anything wrong because he was practicing marbles to win.

We got a legacy here in the City of Pittsburgh. We have 21 national champs, not Shannon, Shannon's just one of many of our national champs that we've had in the City. So, I'd like to see some encouragement, maybe Jack Mahoney your supervisor there might start it within certain sections of the City. I'm just looking forward to promote the



marble program.

That was enough. I'd just want to say hello and thank you to all of you, and there's one of my ex-students from North Catholic.

Shannon did an outstanding job. One of the things I would have liked to do is just bring a tape recording for about a minute and a half and you would see her make 19 shots in a row to win the national championship. It was unbelievable how fast -- when you get into stuff like that you never get rid of it. So, with this Shannon was on the Johnny Carson Show. You might help her if you ask her a few questions.

**Michelle Madoff:**

Can you beat the fellows?

**Shannon Capasso:**

I don't know.

**Michelle Madoff:**

Sure you can. Say yes.

**Shannon Capasso:**

Okay, yes.

**Michelle Madoff:**

Anytime.

**Shannon Capasso:**

I'd like to say thanks for sponsoring me and having me here.

**The Chair:**

Ms. Madoff would you please leave Mr. Wagner's chair, if you want to take a chair take a chair that no one's using.

**Michelle Madoff:**

I'm sorry. Oh, I wouldn't want to take your friends chair. I'm so sorry, it was an accident. I just had a broken chair.

**The Chair:**

Thank you.

**Mr. Wagner presents**

Bill No. 1128 WHEREAS, the Pittsburgh Water and Sewer Authority has been advised by the Pennsylvania Department of Environmental Resources that the Authority's water allocation of 117 million gallons a day from the Allegheny River is being considered for reduction to 90 million gallons a day based on current projected water consumption; and,

WHEREAS, the Pittsburgh Water and Sewer Authority operates the largest water system located in Allegheny County and is best suited to serve as a regional purveyor for other systems; and,

WHEREAS, the Pittsburgh Water and Sewer Authority has undertaken a massive Capital Improvement Program amounting to nearly \$200 million in construction costs, of which about \$165 million is being spent to upgrade water treatment processes, the distribution system, and storage facilities consistent with the present water allocation; and,

WHEREAS, the Pittsburgh Water and Sewer Authority has undertaken a vigorous marketing program geared to selling surplus water to other suppliers and communities based on a fair rate structure for the long term; and,

WHEREAS, the Pittsburgh Water and Sewer Authority utilizing its operations arm, the City Department of

Water provided as much as 20 million gallons per day to other systems during the January, 1988 Ashland Oil Spill, thus insuring water service to many residential, commercial, industrial and institutional customers both in and out of the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh strongly support the efforts of the Pittsburgh Water and Sewer Authority to maintain the present water allocation based on its strategic location in the Metropolitan area and its commitment to enhance the water infrastructure.

Mr. Wagner moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, Members of Council, first of all thank you for voting in the affirmative on that resolution. At the past Water and Sewer Authority meeting we passed a resolution requesting that the Chairman of the Water and Sewer Authority, Mr. Roddey go to Harrisburg in the near future to talk about the item that was just read in this resolution, which is the allocation of water to the City of Pittsburgh determined by D.E.R.

When the Water and Sewer Authority was created we were re-evaluated and we're now in the process of being re-evaluated as to how much water we are permitted to take from the Allegheny River. Presently, it's 117 million gallons a day and they want to cut us back to what our normal daily use is, which is approximately 65 million gallons a day.

We're right now in the drought season that we're involved in, we're taking 90 million gallons of water a day from the river. Consequently, we want to continue to keep that allocation of 117 million. This resolution supports that. The Chairman of the Water and Sewer Authority will take this resolution along with other support from other people to Harrisburg in the near future to D.E.R.

The purpose obviously is to keep our water allocation at 117 million gallons. We had the opportunity to market water. We are now selling 10 million gallons of water per day to West Penn Water and also to other municipalities and Water Authorities. We want to continue to do that. The more water we sell the less our water rates will be to the residents of the City of Pittsburgh.

We have an abundant source of water. It's probably our greatest natural resource here in the City of Pittsburgh. We do not have a water crisis today because of the Allegheny River. I know the Governor has asked us all to cut back and I believe that that was the right thing to do, and people in the City of Pittsburgh are doing that. But, there is not a water crisis in terms of water being available in the City of Pittsburgh.

Hopefully, this resolution will help support us keeping our water allocation at 117 million gallons a day. Thank you.

The Chair:

I would like to ask Mr. Jim Steigerwald to come up.

The Chair presents

Bill No. 1129. WHEREAS, on Saturday, July 23, 1988, a special food and fundraising night will be held at the

Pennsylvania Motor Speedway located on Route 22 West, Nobletown Exit, to aid the Hungry in the Pittsburgh North Side area; and,

WHEREAS, all monies and canned goods collected at this second annual benefit stock car race will be given to St. Michael Food Bank, Spring Garden area and Nativity Food Bank, Perry North area, which provides food for over 246 families each month; and,

WHEREAS, Ron Stanley, General Manager of the Pennsylvania Motor Speedway has generously provided his facility for this "Night to Aid the Hungry" in hope of drawing hundreds of spectators in order to obtain donations and canned goods for the area hungry; and,

WHEREAS, drivers Lynn Geisler and Ben Miley will again act as Co-Chairmen of this event, representing the cooperation of the community of race car enthusiasts, both drivers and fans for their support in helping to stop hunger in the Pittsburgh area; and,

WHEREAS, Jimmy Steigerwald's effort to help support his fellow friends and neighbors from North Side who are going through hard times by promoting this Night to Aid the Hungry, does not go unnoticed;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Saturday, July 23, 1988 as "Night to Aid the Hungry" in the Pittsburgh area and encourages all people to participate in this worthwhile effort to help those who are less fortunate.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Steigerwald:

Thank you, City Council. First off I'd like to apologize for Len and Ben not being here today. They have a couple of things they're doing with the race cars it's pretty tough to come down here all the time, and I'd like to thank Ben Woods, because we sat down about two years ago and he's from the North Side and I'm from the North Side and we seen what was going on with these food banks and we sat down and said lets try to put something together to help our own, and without Ben we would never have gotten where we are today.

Like I said Saturday night is the "Night to Aid the Food Banks" and we've been out there really pushing this at the race tracks. Cochran Pontiac really helped out this year and so many other people. We look at it as where as long as we gain more then we did last year, and that's what we're looking for this year. Bill would like to say something, he's been by my side everyday this week.

Mr. Salinetto:

I'd like to say one thing. Thanks to City Council for their cooperation in helping us along to get where we're at. Also, the people connected with the "Night to Aid the Hunger". Last year we had an accumulation of one and a half ton of food plus the monetary value was \$600, and as far as Cochran Pontiac and them they told us this year we're going over it. God bless them and thank all of you.

Mr. Coyne presented

No. 1088 Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$137,443.05 in partial payment of an

Emergency Contract for the Reconstruction of the Windom St. Wall, payable from Code Account EC 88-24. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1089 Resolution amending Resolution No. 427, effective June 10, 1988, entitled: "Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh, in matters of Property Acquisition and Relocation of Streets Rights-of-Way in connection with the Reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty - 10th Street - 6th Avenue; and providing for the payment of the costs thereof," by correcting the Index Code in Section 2 and by providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation. An aggregate cost not to exceed \$331,200.00, chargeable to and payable from the Grant Street Trust Fund, Index No. 252429.

Also,

No. 1090 Resolution further amending Resolution No. 1218, effective December 31, 1979, as amended by

Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, as amended by Resolution No. 990, effective November 20, 1984, as amended by Resolution No. 17, effective February 6, 1985, as amended by Resolution No. 1262, effective December 31, 1985, as amended by Resolution No. 1156, effective December 22, 1984, entitled: "A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to Twelfth Street; and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the total project allocation by \$137,000.00 from \$1,065,633.92 to \$1,202,633.92.

Also,

No. 1091 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library (The Carnegie) in connection with Miscellaneous Renovations to Various Branches at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account EC 88-56.

Also,

No. 1092 Resolution providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Renovations to Various Public Safety Facilities at a cost not to exceed \$60,468.62, chargeable to and payable from Code Account LB 84-01-\$20,468.62 and Code Account EC 85-47-\$40,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1093 Resolution transferring the sum of \$62,000.00 from Code Account (10), Index Code (001008), Accounts Payable-Prior Years to Code Account (1443-4), Index Code (144345), Police Premium Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover payroll for the remainder of 1988.

Which was read and referred to the Committee on Finance.

Also,

No. 1094 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase metal lockers for turnout gear for the Bureau of Fire at a cost not to exceed \$11,200.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account 1464, Equipment, Index Code 146407.

Which was read and referred to the Committee on General Services.

Also,

No. 1095 An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Streets and Sidewalks, Chapter 419, Regulated Activities by adding Section 419.10, Prohibiting Skateboards, Roller Skates, Scooters and Bicycles on Sidewalks in Business Districts. —  
(SPONSORED BY MR. DEPASQUALE)

Which was read and referred to the Committee on Public Safety.

**Mr. Lyons for Mr. Ferlo presented**

No. 1096 Resolution transferring the amount of \$25,000.00 from Code Account 1505, Equipment, to Code

Account 1612-2, Equipment, and \$40,000.00 from Code Account 1611-1, Utilities, to Code Account 1612-2, Equipment, all accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

No. 1097 Resolution granting unto Laborers District Council of 1101 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a loading dock on a portion of the Right-of-Way of Congress Street in the 3rd Ward of the City of Pittsburgh.

Also,

No. 1098 Resolution granting unto Latimer Associates of 621 North Avenue East, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a planter area on a portion of the sidewalk of Tripoli Street and North Avenue East in the 23rd Ward of the City of Pittsburgh.

Also,

No. 1099 Resolution vacating Enfield Street at its northerly terminus 226.91 feet from Morewood Avenue in the 8th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1100 Resolution authorizing the Urban Redevelopment Authority to transfer up to \$200,000.00 from the Title I Renewal Early Close Out Account to the Neighborhood Economic Development Investment Fund (NEDIF).

Which was read and referred to the Committee on Finance.

Also,

No. 1101 Resolution providing for an Agreement or Agreements with the Pittsburgh Public School District and/or other private for profit and non-profit entities to provide City of Pittsburgh JTPA or CDBG eligible youth with employment opportunities, work experience, labor market orientation, on-the-job training and/or classroom training in connection with the Pittsburgh Partnership Employment Program III, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program, Department of Personnel and Civil Service Commission (PC-88-01).

Also,

No. 1102 Resolution amending Resolution No. 448, effective June 16, 1988, entitled: "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program", so as to decrease a line item (UR-88-18) "Neighborhood Economic Development Investment Fund" from \$300,000.00 to \$100,000.00 and create a line item

"Pittsburgh Partnership Employment Program #3", Department of Personnel and Civil Service (+\$200,000.00).

Also,

No. 1103 An Ordinance amending the Pittsburgh Code, Title Nine "Zoning", Article IV "Planned Development Districts, Section 973.03 "District Classifications" and Section 973.09 "Special Provisions" by Revising the Development Regulations for the "SP-1" Pittsburgh Technology Center located along SECOND AVENUE being the site of the former Jones & Laughlin Hot Strip Mill.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Lyons moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1104 An Ordinance supplementing the Pittsburgh Code, Title I, Administrative, Article I, General Provisions, Chapter 107.01, Issuance Procedure, by adding subsection (4) Service Fee. —(SPONSORED BY MR. LYONS)

Which was read and referred to the Committee on Finance.

Also,

No. 1105 Resolution providing for an Agreement or Agreements with the

Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$280,000.00.

Also,

No. 1106 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus at a cost not to exceed \$200,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program "Hill/Oakland Loop Bus", Department of City Planning (CP-88-08).

Also,

No. 1107 Resolution approving a Conditional Use Exception under Section 993.01(a)(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh and Presbyterian-University Hospital of Pittsburgh for authorization to construct an eight (8) level building with a seven (7) level hospital parking garage; and a one (1) level sports center. The property is the site of the University of Pittsburgh tennis courts, and has frontage on the easterly side of ROBINSON STREET EXTENSION, 5th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 1108 Resolution providing for the issuance of a warrant or warrants in the amount of \$383,680.00 for payment to Complete Installation Services, Inc. and/or P&LE Railroad for the purchase and storage of Used Office Furniture due to the renovation of the Public Safety

Building, payable from Capital Code Account GS-88-05, Retrofit of Public Safety Building, Department of General Services. P&LE - \$352,000.00 & CIS - \$31,680.00.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 1109 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Barbara Burger to attend the "Insight on Time Management Seminar" at the Marriott Greentree, Pittsburgh, PA, August 16, 1988, at a cost not to exceed \$170.00, payable from Code Account No. 1128, Miscellaneous Services. Permission is also requested for use of a City vehicle. This seminar is an intensive, one-day workshop which examines causes and cures of ineffective time use and provides an action plan of well defined time management goals and methods.

Which was read and referred to the Committee on General Services.

**Mr. Wagner presented**

No. 1110 Resolution authorizing the City Controller to issue and the Mayor to countersign a warrant payable to Fred S. James Company to continue administering the Workers Compensation program for the City of Pittsburgh for a

period from July 1, 1988 to August 31, 1988 at a total cost of \$81,666.00, chargeable to and payable from Workmen's Compensation Fund, Code Account 44.

Also,

No. 1111 Resolution authorizing the City Controller to issue and the Mayor to countersign warrants payable to the following and the amounts payable: Crawford and Company-\$141.51; Interpose-\$13,342.49; Smart Corporation-\$673.94; Hoover Rehabilitation-\$2,731.50; Rehabilitation Management Services-\$11,744.72; Hospital Correspondence-\$95.59; and Physicians Review Corporation-\$450.00, for a total of \$29,179.75, for services rendered to the City of Pittsburgh which were not covered by the scope of services for the administration of Workmen's Compensation program, chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Department of Finance.

Also,

No. 1112 Resolution amending Resolution No. 222, effective April 12, 1988 entitled: "Providing for a Professional Services Agreement or Agreements for the administration of the City's Workers' Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed \$100,000.00, chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Department of Finance.

Also,

No. 1113 Resolution creating a special trust fund for the payment of the City of Pittsburgh's Workers'

Compensation obligations and transferring to the trust fund funds from time to time from code accounts in existence for the payment of the City's Worker's Compensation obligations and providing for the transfer to a paying agent to pay the City's Workers' Compensation obligations.

Also,

No. 1114 Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an Agreement or Agreements to designate a City paying agent for its Workers' Compensation obligations at no additional cost to the City.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1115 Resolution transferring the sum of \$15,800.00 from Code Account 10 (Index Code 001008), Accounts Payable Prior Years to various Code Accounts.

—(SPONSORED BY MR. WAGNER)

Also,

No. 1116 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the



Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, other candidates for employment and promotion and employees, at a cost not to exceed \$180,000.00, chargeable to and payable from Code Account No. 1100 (110007) Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1117 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation study of psychological background testing and the administration, preparation, evaluation and research of Civil Service entrance and promotional examinations, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account No. 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1118 Communication from Mayor Sophie Masloff, City of Pittsburgh, requesting authorization for George Jacoby and Patrick Leheny to travel to Harrisburg, Pennsylvania, May 19, 1988, to meet with Legislators on the Tax Reform Package for the City of Pittsburgh, at a cost not to exceed \$700.00, payable from Code Account No. 1017, Miscellaneous Services. (Due to the loss of the late Mayor Richard S. Caliguiri interim approval was inadvertently omitted.

Also,

No. 1119 Communication from Mayor Sophie Masloff, City of Pittsburgh, requesting authorization for

Scott Kunka to attend a course entitled, "Advanced Governmental Budgeting" in Colorado Springs, Colorado, August 14-16, 1988, at a cost not to exceed \$1,007.00, payable from Code Account No. 1017, Miscellaneous Services. The two day course will be directly related to the Senior Budget Analyst's duties and responsibilities.

Also,

No. 1120 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Helen Rodgers and Kathleen Kennedy to attend a three-day conference entitled, "International Conference on Assessment Centers", in Miami, Florida, September 21-23, 1988, at a cost not to exceed \$2,538.00, payable from Code Account No. 1100, Miscellaneous Services. The conference is given by the International Association of Chiefs of Police for the purpose of obtaining an overview of the state of the art in assessment centers for public safety.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1121 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Dr. Lindsay Clack, Aviculturist, Pittsburgh Aviary, to attend the American Federation of Aviculture 14th Annual Convention, in Tampa, Florida, August 2-7, 1988, at a cost not to exceed \$1,050.00, payable from the Aviary Trust Fund. Dr. Clack will attend lectures and committee meetings, conduct several seminars on bird breeding and visit zoos and bird collections in the Tampa area.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1122 Communication from Mayor Sophie Masloff, City of Pittsburgh, informing Council of the appointment of Henry V. Sciortino as City Treasurer, and also as a member of the Pittsburgh Water & Sewer Authority for a term to expire the first Monday of January, 1993.

Which was read, received and filed.

#### REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1123

Report of the Committee on Finance for July 13, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 947

A Resolution entitled, "Resolution transferring the sum of \$200,000.00 from Code Account 53-1 Debt Service Debt Service - Stadium Authority of Pittsburgh to JTPA-1 Trust Fund, Federal Funds (Index Code 260307)." — (SPONSORED BY MR. LYONS)

Which was read.

Also,

Bill No. 948

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Public School District and/or other private for profit and non-profit entities to provide

City of Pittsburgh JTPA and/or CDRG eligible youth with employment opportunities, work experience, labor market orientation, on-the-job training and/or classroom training in connection with the Pittsburgh Partnership Employment Program and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

—(SPONSORED BY MR. LYONS)

Which was read.

**Mr. Lyons** moved to recommit Bill No. 947 and Bill No. 948.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 1015

A Resolution entitled, "Resolution transferring the aggregate amount of \$200,000.00 from various Code Accounts to Code Account 1103, Miscellaneous Services (Index Code 110304) Department of City Planning." — (SPONSORED BY MR. FERLO)

Which was read.

**Mr. Coyne** moved to recommit Bill No. 1015.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 1044

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Industrial Valve & Fittings, Inc., 25th & Smallman Streets, Pittsburgh, PA 15222, in the amount of \$1,330.00 in payment for emergency purchase of bell joint repair clamps, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1045

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Hewlett-Packard Company, Box 371689M, Pittsburgh, PA 15251, in the amount of \$1,461.75 in payment for repair of the gas chromatograph at the Water Treatment Plant furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1046

A Resolution entitled, "Resolution providing for the issuance of a warrant to Samuel Klein, John Klein and Ned Fine, t/d/b/a Klein's Restaurant, a Partnership, in the amount of \$1,187.50 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1047

A Resolution entitled, "Resolution amending Resolution No. 314, part of Item E, effective April 29, 1988, which authorized the sale of vacant lot, 75 Climax Street, 18th Ward, Block 15-G, Lot 196 to Gloria Jean Bell."

Which was read.

Also,

Bill No. 1048

A Resolution entitled, "Resolution amending Resolution No. 314, Item A, approved April 25, 1988, which authorized the sale of 2136-5th Avenue, 4th Ward, a vacant lot, designated as Block 11-K, Lot 56B, to Rapheal Mitchell and George Hollis."

Which was read.

Also,

Bill No. 1049

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons for Mr. Ferlo presented**

Bill No. 1124

Report of the Committee on Public Works for July 13, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1016

A Resolution entitled, "Resolution granting unto Mr. Michael Kress of 909 Smithton Avenue, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, four 10-Foot planters on a portion of the sidewalk of Smithton Avenue in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1017

A Resolution entitled, "Resolution granting unto Mr. R.W. Mike Glenn of 51 Woodland Road, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense an electrical vault on a portion of the sidewalk of 1111 Penn Avenue in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1018

A Resolution entitled, "Resolution granting unto Mark Rayner, Cafe Allegro, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, an area for benches on a portion of the sidewalks of Diamond Square and

South 12th Street in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1019

A Resolution entitled, "Resolution granting unto 900 Fifth Avenue Building, its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an electrical vault in a portion of the sidewalk of Fifth Avenue in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1020

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the conversion of Series Lights to Multiple Lights at a cost not to exceed \$93,776.63, chargeable to and payable from Code Account PW 85-05, Street Lighting Throughout the City."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Lyons      | Mr. Woods   |

Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1125

Report of the Committee on Planning, Housing and Development for July 13, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1021

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide Food Distribution and Services Program' at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services (Index Code 110304) Department of City Planning." — (SPONSORED BY MR. FERLO)

Which was read.

Mr. Coyne moved to recommit Bill No. 1021.

Michelle Madoff seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 1022

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Garfield Corporation for professional services in connection with their housing related programs, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (Index Code 110304) Miscellaneous Services, in the Department of City Planning." —  
(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1023

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$13,972.00."

Which was read.

Also,

Bill No. 1024

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$22,000.00."

Which was read.

Also,

Bill No. 1025

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the Unemployed, in an amount not to exceed \$40,868.00."

Which was read.

Also,

Bill No. 1026

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Family and Childrens' Service Center to provide administrative support to the Agency, in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 1027

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-

Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility, at a cost not to exceed \$4,648.00."

Which was read.

Also,

Bill No. 1028

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Art Museum for administrative and technical assistance."

Which was read.

Also,

Bill No. 1029

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Community Center for professional services in connection with their Friendship Line counseling program in an amount not to exceed \$9,430.00."

Which was read.

Also,

Bill No. 1030

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Polished Apple Enterprise, Inc., a non-profit corporation, to provide community social services including home chore services and a shopping-transportation escort service to the aged, handicapped, and disabled, in an amount not to exceed \$1,900.00."

Which was read.

Also,

Bill No. 1031

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Business Association for administrative assistance, in carrying out its commercial district revitalization program in Lawrenceville at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 1032

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council for administrative/operating assistance with their community development program at a cost not to exceed \$2,648.00."

Which was read.

Also,

Bill No. 1033

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for administration/operating assistance in their economic development revitalization program at a cost not to exceed \$2,648.00."

Which was read.

Also,

Bill No. 1034

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the 31st Ward Citizens Council for operating a Food Distribution-Voucher System for low-moderate income families at a cost not to exceed \$1,986.00."

Which was read.

Also,

Bill No. 1035

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Rosalia Church Food Bank for operating assistance in running their Food Bank Project, at a cost not to exceed \$1,986.00."

Which was read.

Also,

Bill No. 1036

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Parental Stress Center, Inc., to provide administrative support to the Agency, at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 1037

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Elder-Ado, Inc., for housing counseling services to assist elderly and low income persons at a cost not to exceed \$13,972.00."

Which was read.

Also,

Bill No. 1038

A Resolution entitled, "Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home in an amount not to exceed \$54,944.00."

Which was read.

Also,

Bill No. 1039

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods in an amount not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 1040

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance in operating the Phonecheck of Greater Hazelwood project at a cost not to exceed \$1,986.00."

Which was read.

Also,

Bill No. 1041

A Resolution entitled, "Resolution amending Resolution No. 883 of 1987, as amended by Resolution No. 72, effective February 8, 1988, entitled: 'Providing for an Agreement or Agreements with the



Pittsburgh AIDS Task Force, Inc., for the furnishing of professional services in connection with its programs of advocacy services, Emergency Fund, education, risk reduction and other programs of awareness and compassion for the benefit of all the residents of the City of Pittsburgh during 1987-88', so as to increase the program allocation from \$40,000.00 to \$43,972.00."

Which was read:

Also,

Bill No. 1042

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Marian Plaza, Inc., for authorization to construct a six-story structure containing 51 dwelling units for the elderly on property located at the southeast corner of FRANKSTOWN AVENUE and MADONNA STREET, 13th Ward."

Which was read.

Also,

Bill No. 1043

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Bry-Mard Apartments, Inc., for authorization to convert the existing school building into 37 dwelling units for the elderly on certain property located on the southwest corner of BRICELYN STREET and EYMARD STREET, 13th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Wagner      |
| Mr. Lyons      | Mr. Woods       |
|                | (Prest Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1069

A Resolution entitled, "Resolution amending Resolution No. 525, approved July 12, 1988, entitled: "Providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide food distribution and services program' at a cost not to exceed \$46,414.42," by adding an additional \$53,585.58." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Lyons** moved to recommit Bill No. 1069.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

What's the reason, please?

**Mr. Lyons:**

Because the \$53,000 additionally cannot — they don't have it in hand. It wasn't in that account, that's why.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

**Mr. Coyne presented**

Bill No. 1126

Report of the Committee on Engineering and Construction for July 13, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1012

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the

Reconstruction of the Burgwin Playground; and providing for the payment of the cost thereof."

Which was read.

**Mr. Coyne:**

Mr. President, Bill 1012 should read for the reconstruction of Burgwin Playground rather than pool.

**The Chair:**

Correct that Linda.

**Ms. Johnson:**

All right.

Also,

Bill No. 1013

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Reconstruction of the Tustin Tot Lot; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 1012 and Bill 1013 at Wednesday's meeting I had voted no and my reason for voting no is that Louise Brown and myself were to get together to review some plans that I received from companies that put together playgrounds. I had sent them the plans of the playgrounds and they had sent me schematics, drawings and suggestions for equipment for the playgrounds, and I've had not had a chance as yet to discuss them with Louise Brown.

The issue is to try to attempt to cut back on the consulting fees and the

extra expenses when we have professionals in the business that are very happy to do it for us gratis.

Now, I'm going to vote for these two bills and after I meet with Louise Brown, I find that indeed we could have done them a lot less costly that will be part of a bill that as you know I'm working on to stop the advertising of monies available and to cut back responsibly on the costs of projects.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**The Chair presents**

Bill No. 1130            That the appointment by the Mayor of Rabbi Richard M.E. Marcovitz of 327 N. Negley Avenue, Pittsburgh, Pennsylvania 15206, be and the same is hereby approved and confirmed as a member of the Commission on Human Relations Board for a term to expire July 1992.

Which was read.

Also,

Bill No. 1131            That the appointment by the Mayor of Floyd Titus, 1827 Linton Street, Pittsburgh, Pennsylvania 15219, be and the same is hereby approved and confirmed as a member of the Commission on Human Relations Board for a term to expire July 1992.

Which was read.

**Mr. Lyons** moved to approve the appointments.

**Mr. Wagner** seconded the motion.

**Mr. Coyne:**

Discussion.

One question, Mr. President. Will these gentlemen be coming in front of Council?

**The Chair:**

Not unless you ask them.

**Mr. Coyne:**

I think we should ask for them to come in front of —

**The Chair:**

Well, let me do this then, because there's a motion on the floor and it has been seconded.

There's a motion to approve and its seconded.

Now, under discussion what would your pleasure be?

**Mr. DePasquale:**

Are these re-appointments or are they appointments?

**The Chair:**

No, they're new appointments.

**Mr. DePasquale:**

Well, its been the practice --

**The Chair:**

Mr. Lyons, what would you like to do with your motion?

**Mr. Lyons:**

I'll withdraw the motion or I'll amend the motion to include that the two said names come before the Council.

**Mr. DePasquale** seconded the motion.

**The Chair:**

You're amending it to approve them, but they must come before Council, that's what you're saying. And everyone seconded that.

**Michelle Madoff:**

No, we don't really mean that. I haven't seconded that.

**The Chair:**

Well, wait a minute somebody did second it. So, Mr. Lyons that was your amendment?

**Mr. Lyons:**

Yes.

**The Chair:**

Okay. Why don't you withdraw your motion.

**Mr. Lyons** moved to withdraw the motion.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**The Chair:**

Why don't we make a motion now to have the two people come in a week from Wednesday.

**Mr. DePasquale** moved to have the two appointees come in a week from Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President, the same subject. Wouldn't it be appropriate to do the same with the appointee to the Water and Sewer Authority?

**The Chair:**

That's not our prerogative. The Mayor has the final appointment on that. In other words Council doesn't have to approve them.

**Mr. Wagner:**

But, we still have confirmation?

**The Chair:**

No, not on them Authorities.

**Mr. Wagner:**

On Authorities its been the procedure in the past for new appointees for us to do that.

**The Chair:**

But, then there's four Authority's I believe that we don't have confirmation, and the Water Authority I believe is one of them Jack.

**Mr. Wagner:**

Okay, if that's the Solicitor's ruling fine.

**The Chair:**

And if I'm wrong then we'll bring him in.

**Mr. Wagner:**

Okay.

**Mr. Pollock:**

On the same subject of the two appointments to the -- they're both to the Human Relations Commission? In the past any new appointments have come before Council and that's the way it should be, but frequently people have come in and taken time out of their schedule and there's been no questions for them, and they've sat down, and there's been no questions for them, and they've had to waste time.

Would it be appropriate or inappropriate if prior to next Wednesday if Council can inform you that we have no questions, that we can contact the people and say you don't have to come in. There's no need for you to come in, no one has any questions. Rather then have them take time out of their busy schedules to sit here. It's kind of

embarrassing for them and for us.

**The Chair:**

It's a good suggestion and if --

**Mr. Pollock:**

Why don't we do that. If you don't hear from any one of us before a week from today, Council Clerk can say you don't have to come in there are no questions.

**The Chair:**

All right. That's fine.

**Mr. Lyons:**

That's good.

**Mr. Wagner:**

Mr. President, I would anticipate anyone that wants them to come in front of Council would have questions for them.

I don't know who the maker of the motion was to have them in front of Council, but I would anticipate that is the intent.

**The Chair:**

Mr. Coyne and Mr. DePasquale and I'm sure they'll notify me.

Is there any other business to come before this Council?

**Mr. Lyons** moved to excuse Mr. Ferlo for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

---

**Mr. DePasquale** moved to approve the Minutes of Tuesday, July 5, 1988.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, July 25, 1988

No. 30

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA

Monday, July 25, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presents

No. 1159 WHEREAS, Sacred Heart High School has been educating girls from all over the City of Pittsburgh for seventy-five years; and

WHEREAS, Sacred Heart High School recently honored two students, Mae Yee and Tamara Cherock, from the Hazelwood area as Valedictorian and Salutatorian; and

WHEREAS, this is the first time that two students, both from St. Stephens School of Hazelwood, placed first and second academically in their class; and

WHEREAS, both students are members of the National Honor Society; and

WHEREAS, Mae Yee, a refugee from China, has received the Bosch and Lomb Science Award, the Westinghouse Science Institute Award and the Presidential Academic Fitness Award, and Tamara Cherock has received the Presidential Academic Fitness Award and is recognized for her cross country running skills and is Captain of the Central Catholic Cheerleaders; and

WHEREAS, Mae Yee has received an academic scholarship to the University of Pittsburgh and Tamara Cherock has received a scholarship to Duquesne University.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Mae Yee and Tamara Cherock who have shown exceptional academic skills through their many accomplishments, and we thank them for choosing to continue their education.

Mr. Coyne moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

**Miss Yee:**

On behalf of Tammy and I, I would like to thank City Council and especially Michael Coyne for recognizing our hard work and our achievements, and for giving us this proclamation.

I would also like to encourage all high school students to achieve and excel and further their education, thank you.

**Mr. DePasquale:**

I wonder if all the people that are here connected with the "National Night Out" would come up here please to my left.

**Mr. DePasquale presents**

No. 1160 WHEREAS, August 9, 1988 marks the fifth annual "National Night Out" sponsored by the National Town Watch Association; and

WHEREAS, this event is observed nationwide and is designed to heighten crime prevention awareness, strengthen neighborhood spirit in the crime prevention campaign, and send a message to criminals that neighborhoods across the United States are organized and fighting back; and

WHEREAS, it is vital that the citizens of Pittsburgh be aware of the positive impact their participation in crime prevention has on reducing crime in our neighborhoods and in our city; and

WHEREAS, the City of Pittsburgh placed 4th nationally in 1987 and 1st in

1986 for our outstanding efforts in this prevention project; and

WHEREAS, neighborhood and community cooperation are the heartbeat of the National Night Out project and all citizens can participate and become involved by spending the evening of August 9, 1988 outside on their porches, lawns, front steps and sidewalks, and turning their outside lights on or placing luminara on their sidewalks at 9:00 P.M.; and

WHEREAS, a kickoff parade featuring Mayor Sophie Masloff as the Grand Marshall, bands, entertainment, special guests, the talking police car, McGruff, Mascotts, floats and many other attractions along with the neighborhood crime watch groups will be held on Saturday, July 30th at 10:00 a.m. beginning at the Civic Arena; and

WHEREAS, Sponsors of this cooperative National Night Out evening and parade include Duquesne Light Company, underwriting the costs of advertising, 7-Eleven Stores, the national sponsor, Phillips Light Bulbs, Turner Dairy, Patrick Media, Mail Marketing Service, Port Authority, Yellow Cab Company, Brauns Bread, Pepsi Cola, Oscar Mayers, and Snyders, Frito Ley and Wise Potato Chips;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims August 9, 1988 as "NATIONAL NIGHT OUT" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council encourages the citizens of this great City to participate in and attend the kickoff parade scheduled for Saturday, July 30, 1988 in support of fighting crime in this City.



**Mr. DePasquale** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

The only thing I have to add is that you're all welcome to come to the parade and join in the festivities on the 30th and on August 9th. We have several people here and I'd like a few of them to say a few words.

**Mr. Conway:**

Thank you. President Woods, Public Safety Chair DePasquale, esteem members of Council and guests, I am pleased to make what is now an appearance for the ninth consecutive year before Council along with a Coalition of volunteer neighborhood crimefighters from throughout the City. We are here today to accept a resolution and urge you to join our 5th Annual protest against crime in our neighborhoods—National Night Out—on Tuesday evening, August 9th.

Two years ago in 1986 when hundreds of cities began competing for recognition on what they do to observe National Night Out, Pittsburgh was chosen number one by the National Association of Town Watch. Last year, we received a runner-up City award when St. Louis was chosen number one. This year, we are geared to recapture the Number One City designation and have been working diligently in a partnership with community groups, City government, local law enforcement and private business sponsorship. Our event will be highlighted by a kickoff parade on Saturday, July 30th at 10:00 A.M. in downtown Pittsburgh. The Honorable Mayor Sophie Masloff will serve as the

Grand Marshall. You are all invited and welcome to join us in our march against crime.

We appreciate your support and your resolution. We know, however, that the success of our effort will be measured by the participation of citizens throughout the neighborhoods. My sense is that Pittsburgh residents, particularly those who have demonstrated their commitment to volunteerism on community service projects in the past, will not disappoint us. We are most fortunate to have an abundance of neighbors who are willing to volunteer their time on worthy projects. I have seen these volunteers working to organize block watches on our streets, distributing free government surplus food to the needy at their neighborhood sites, filling grocery bags at the local food pantries, coaching little leaguers and softballers, and working with their community groups on self-help projects.

I urge all those dedicated neighborhood volunteers and welcome those who are interested in getting involved for the first time to come to our parade on Saturday, July 30th, and turn your porch lights on and sit out against crime on Tuesday evening, August 9th.

I would like to acknowledge and thank those who put the 1988 Pittsburgh Area Night Out events together: Representing local law enforcement: Sergeant Jerry McFadden of the Pittsburgh Fire Prevention Unit; Deputy Sheriff Bob Brasso; Officers Nick Wagner, Dave McNutt, Marty Marinek, and Robin Brandt; Representing private business sponsors: Jerry Kinder from Phillips Lighting; and Ron Allison from 7-Eleven; 7-Eleven is the national sponsor of this project. Representing the community groups, which are the backbone of the program: Loretta Miller

from Knoxville; Jim Steigerwald, Bill Salinetto and Judy Landa from the North Side; Bicky Goldzer from Squirrel Hill; Josephine Roberts from the Hill District; and Elaine Capparelli from Mt. Washington. Representing City Parks and Recreation, which has provided technical assistance to this project is Bill Backa from City Parks; and finally but not least McGruffette is here today. McGruffette is I believe unique to Pittsburgh, we've all heard of McGruff the National Mascot for Night Out and this McGruffette and I'd like you all to give McGruffette a hearty welcome, thank you.

**Michelle Madoff:**

I think it might be appropriate to mention that Minneapolis representatives -- they were here in the audience. I think they're meeting with some other people right now. They met with Chief Pampena, with Jack Stabile and myself at the garages today. They're taking our Ordinance to Minneapolis because they had two murders and rapes at 9:00 o'clock in the morning and 3:30 in the afternoon. So, not only do we have to take back the night, we better take back the day, and they're here to take our Ordinance on lighting of the garages back to Minneapolis, and we hope to have it as a prototype for a national legislation, and what you're doing just fits right in, it's the same thing.

We're all working together for the same purpose and I think what you're doing is absolutely wonderful. Incidentally, we copied our lighting garages for people coming out and that's the Connolly's -- took their garage and said that's well done, they didn't have to be told, that's how we knew how to do it.

**The Chair:**

Thank you all very much.

**Mr. Conway:**

Thank you.

**Michelle Madoff presents**

No. 1161 WHEREAS, on August 21, 1988, Pittsburgh resident Trish Beatty will visit San Isidro, Matagalpa, Nicaragua to deliver sport equipment over special ceremonies to inaugurate the PITTSBURGH/SAN ISIDRO ROBERTO CLEMENTE SPORT CENTER; AND,

WHEREAS, ground will be broken on August 21st for construction of the sport center by the people of San Isidro, making this truly a joint project between the citizens of both cities; and,

WHEREAS, efforts to replenish equipment over these next years will continue in Pittsburgh, representing yet another ongoing effort in the "Sister City" relationship between Pittsburgh and San Isidro; and,

WHEREAS, this project commemorates the legacy of the great Roberto Clemente, beloved baseball hero of our city of Pittsburgh and national hero of Nicaragua who died in the relief efforts following the Managua earthquake in 1972 and whose pursuit of athletic and humanitarian excellence is a fitting model for all children who will benefit by the existence of this new sport center; and,

WHEREAS, principal benefactors of the project are: the Pittsburgh Pirates Baseball Club which provided much of the needed baseball equipment; Westinghouse Corporation which provided funds to finance construction of the sport center, the Mary Hillman Jennings Foundation and numerous other individual donors who provided additional equipment and funds; and,

WHEREAS, improvement in the quality of life for the children and youth of San Isidro is the primary focus for this project, with the additional benefits of goodwill and humanitarian concern in good measure;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends congratulations to the people of San Isidro and warm wishes for the success and growth of this new sport center.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Beatty:

Thanks to all the members of City Council. I must say I'm very proud to live in a City that in spite of the many local challenges to City government and to the population for quality of life here in our City that we still as a town extend our hand in friendship and support to a town in Nicaragua, San Isidro, which is in great need of all kinds of support.

I also, want to acknowledge here the immense contribution of Douglas D. Danforth, who is Chairman and CEO. of the Pittsburgh Pirates Baseball Club, and recent retired CEO. of Westinghouse.

Mr. Danforth, once he heard of this project to build a Sports Center in San Isidro immediately saw the value in the lives of these children of having organized a well equipped sport and did not hesitate to get involved in the memory of Roberto Clemente, and in support of the Sister City project.

The Sports Center is just another link in the chain of projects and events

that the Sister City Committee here in Pittsburgh is currently putting together and has done in the past for San Isidro, and I'm very proud to be a part of it, and I thank you for your support.

The Chair:

Thank you.

Mr. Lyons:

To the President of Council and members of Council, this Resolution is in support of House Bill 4727, presented by Congressman Ron Dellums of California and entitled, the Comprehensive National Housing Act, and it reads as follows:

Mr. Lyons presents

No. 1162 WHEREAS, the United States Government has increased military spending by 100% between 1981 and 1988; and

WHEREAS, the United States Government has decreased spending for housing assistance by over 70% from 32 billion dollars in 1980 to only 7 billion dollars in 1987; and,

WHEREAS, home-ownership is declining for the first time in over 40 years, especially among younger families; and,

WHEREAS rents are increasing beyond the ability of most residents to afford them; and,

WHEREAS, homelessness is becoming an increasing problem in our cities and municipalities throughout the U.S.A., especially for families with children; and,

WHEREAS, the City of Pittsburgh is less able to meet these needs with

federal cut-backs in revenue sharing and CDBG funding;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls upon the Congressional delegation, the Congress and the President of the United States to support House Bill 4727 (Comprehensive National Housing) introduced by Congressman Ron Dellums and proposed by the National Jobs with Peace Campaign; and,

BE IT FURTHER RESOLVED, that this Resolution shall be published in a newspaper of general circulation in our City and forwarded to our Congressional Delegation and the President of the United States.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Lyons:

I have Mr. Richardson here. He will give his expressions to the bill in support, who is a member of the National Job with Peace Campaign.

Mr. Richardson:

Thank you, Councilman Lyons and I want to thank the Council of the City of Pittsburgh. I just want to make a few statements about this bill.

One, it addresses the need for housing. It begins to take housing out of the hands of private groups and places it more into the hands of community based non-profits, and therefore, makes it more accessible to low and moderate income people.

It calls for approximately \$55

billion each year to be appropriated to meet this need, that essentially will bring housing spending in the nation back up to its level of about ten years ago, that is before the extreme cuts of the Reagan Administration. So, if it sounds like a lot of money, it really isn't. We're just trying to get back to where we were, at least.

We want to get this money by reducing excessive waste in military spending and putting it back into meeting basic human needs in our society that does impact the City of Pittsburgh. We've seen the cuts that have come in CDBG monies and other locally needed funds for housing, for education, for basic food, for everything that we need here. So, this is very clearly a local struggle.

We are going to be working on a housing campaign here in the City of Pittsburgh, and we are already engaged in that to meet this need. We know now that 10,000 people approximately are on a waiting list for Section 8 housing in the City of Pittsburgh.

We know that also between 1982 and 1986 there was an extreme increase in taxes on the City of Pittsburgh while the population declined by approximately six percent. So, we're talking about going from \$328 million that is coming out of the City of Pittsburgh in taxes to \$386 million in 1986. A smaller population. So, you can see what is happening is more and more taxes, more and more for military spending, less and less and less for basic needs in our City; monies which we need dearly.

I want to thank you for supporting this bill and I hope that you will work with us at the local level to build grass roots power for change to meet the housing need in the City of Pittsburgh, thank you.

**Mr. Wagner:**

Thank you Mr. President and members of Council, I'd like ask a couple of people to please step forward Mr. John Connelly, who is Chairman of the Board of the Pittsburgh Three Rivers Regatta and the owner of the Gateway Clipper Fleet, and also, Mr. Eugene Connelly, General Chairman of the Pittsburgh Three Rivers Regatta.

Also, sponsoring with me this Resolution is Councilman Otis Lyons. Gentlemen, good morning. The Resolution reads as follows:

**Mr. Wagner and Mr. Lyons presents**

No. 1163 WHEREAS, our three magnificent rivers - the Allegheny, the Monongahela, and the Ohio - providentially have served our community as well as mankind in great expanse; and,

WHEREAS, Pittsburgh is the number one inland port in the world with its rivers providing the water needs for economic progress as well as for recreation of our citizens; and,

WHEREAS, the Pittsburgh Three Rivers Regatta is designed to contribute to the goal of focusing attention on the area's lifelines, and will offer a fun-filled weekend of free entertainment August 4 through 7; and,

WHEREAS, the 1988 Regatta will feature an expanded schedule of more than 70 events beginning with "Regatta on Parade" and including the Champion Spark Plug Grand Prix, the Great Mid-America Sternwheel Race, Grand Decorated Boat Parade, the popular "Anything that Floats" event, Hot Air Balloon Classic, and St. Brendan's International Cup Race, on August 4 through 7, 1988 which we proudly

proclaim "Regatta Weekend".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the General Chairman of the Pittsburgh Three Rivers Regatta, Eugene F. Connelly, and his dedicated and capable staff, as well as all those who worked diligently toward success again this year; and,

BE IT FURTHER RESOLVED, that we honor the late beloved Mayor Richard S. Caliguiri, 1988 "Riverperson of the Year". We urge our citizens and visitors to enjoy and participate in this free open-air spectacular exhibition that truly reflects the great pride we all share in our bountiful rivers.

**Mr. Wagner** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Before my colleague says a few words and introduces both Mr. Eugene Connelly and Mr. John Connelly, I'd like to say that I'm very proud and honored to be part of this event every year, as Chairman of the Parade Committee.

This is the 11th year for the Regatta and it is by far the greatest water event in America, and possibly in the world, and any Pittsburgher or anyone in Allegheny County or Western Pennsylvania that has not been at the Regatta is missing something that is truly exciting, and its coming up in a week and a half.

It begins Wednesday night with the River Person of the Year Dinner, honoring our late Mayor, and the

following day — I'm giving a plug for the parade. The following evening is a night parade that begins at 7:30. It has a new route it begins this year down in the Strip District, and it will up the newly completed portion of Grant Street and make a right turn of Fifth Avenue.

We're all very excited about all the events in the parade and if it wasn't for both Mr. John Connelly and Mr. Eugene Connelly we would not have Pittsburgh Three Rivers Regatta. It's that simple, and so it's an honor to have them here today, and present this Resolution to them. I know Mr. Lyons would like to say a few words also.

**Mr. Lyons:**

Thank you Jack, and to the President of Council, and to the members here assembled. The Three Rivers Regatta is one the most outstanding events in the City each year. It's the greatest water show in the world. Certainly, we should have a great interest in it. It fills our hotels, it injects a lot of life into our businesses. There will not be a hotel room available during that week, and so it enriches and enhances the richness of the City of Pittsburgh for money that is much needed. The restaurants, the hotels, the businesses, the parking taxes and so on, and on, and on. If you deny yourself of trying to make a visit to any of the events of the Regatta over the four day period, you've denied yourself a treat of a lifetime, thank you.

**Mr. Eugene Connelly:**

Thank you City Council, we're certainly glad that we have an opportunity to come before you this morning and accept this proclamation. Eleven short years ago we started the Regatta and we have something that is very fabulous today and its growing. I'll

ask brother John now if he'll make a few comments, thank you.

**Mr. John Connelly:**

Mr. President and members of City Council, you know as I stand before you today I can't help but think of words that you've all heard me say probably hundreds of times, that our rivers are the lifeblood of Pittsburgh. That's the veins which our blood flows, and what a tribute it is that this Three Rivers Regatta is a cooperation between not only City government today, County government that is behind it, but also the business community, remember this Regatta is free. When it was created 11 years ago it's passed my wildest dreams, and I must give all the credit to my brother Gene. He has taken it, he has shepherd it through hard times, and now there are basically good times. It is the outstanding water show in America. It's a tribute to the City. But, a real tribute I want to say to the members of Council to the real cooperation. I can't stress that enough of the business community stepping up along side of the elected government and saying, what is good for Pittsburgh is good for all of us, and so I thank you for the award very much. I thank you for this proclamation because it is good for all of us, thank you.

**The Chair:**

We have one more resolution by Mr. Wagner, but I believe he wants you to read it Linda.

**Mr. Wagner presents**

No. 1164 WHEREAS, on July 23, 1988 friends, relatives, and countrymen will celebrate a Block Party on Dunster Street in Brookline on behalf of our All-American selection to the 1988 Olympic Basketball Team, Suzie McConnell; and

WHEREAS, the City of Pittsburgh and the residents of Brookline are very proud of the numerous accomplishments of Suzie McConnell going back to the time when she began her dominance in basketball playing for Our Lady of Loretto School which won the Diocese of Pittsburgh Championship; and

WHEREAS, Suzie then moved onto Seton La Salle and was part of a great Rebel basketball team that won the PIAA State Championship and in the process Suzie was named to 1st Team Parade All-American; and

WHEREAS, Penn State recruited Suzie McConnell, a very wise choice, and she continued her dominance at the NCAA level by leading the Nation in assists for two straight years and becoming the second leading scorer of all time in Penn State history; and

NOW, THEREFORE BE IT RESOLVED, that the members of Pittsburgh City Council, the Mayor, and the residents of the City of Pittsburgh are very proud of the accomplishments of Suzie McConnell and wish her success in becoming a member of the United States Olympic Team and leading the team to a Gold Medal in Seoul South Korea.

BE IT FURTHER RESOLVED, that the Council, the Mayor, and residents of the City salute Suzie's parents, Tom and Sue, the McConnell Family, all her friends and relatives and the roles that all have played in helping Suzie in achieving her goal of representing America in the upcoming Olympic Games.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, I simply want to thank you for your support on this Resolution and it was presented to Suzie, her family, friends, relatives at probably the greatest Block Party I've ever participated in in Brookline over the weekend. There had to be well in excess of 1,000 people there to wish her well in becoming a member of the girls basketball team that is going Seoul, South Korea, and it was truly a joy to part of it, thank you.

Mr. DePasquale

Mr. President, I presume Jack knows, but he neglected to say that Suzie McConnell is the granddaughter of the late John McGrady.

Mr. Wagner:

That's right.

Mr. Coyne presented

No. 1132 Resolution providing for the issuance of a warrant in favor of Casciato Brothers in the amount of \$2,700.00 in payment of an Emergency Contract for the demolition of property at 26 Montana Street, 26th Ward, City of Pittsburgh, payable from Code Account PW 83-38.

Also,

No. 1133 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Chapter 213, Investment and Disinvestment by adding Section 213.05 Northern Ireland Investments. —  
(SPONSORED BY MR. COYNE)

Also,

No. 1134 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, by adding to the requirements for the qualification of banks and lending institutions which desire to qualify as depositories of City monies. —(SPONSORED BY MR. COYNE)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1135 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Bruce Farber to attend a three-day "hands-on" course entitled, "Managing Projects with a Personal Computer" at the University of Pittsburgh from September 12-14, 1988, at a cost not to exceed \$895.00, payable from Code Account 1482, Miscellaneous Services. This seminar shows how to use software packages to develop project schedules and budgets, track and control expenses, analyze project costs, update schedules, produce printed progress reports, level resources, and evaluate productivity.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale presented

No. 1136 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase an automated EMS billing system for the Bureau of Administration at a cost not to exceed \$22,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 1137 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Detective Ronald Rudolph, Bureau of Police, to attend the National Fire Academy in Emmitsburg, Maryland for a course entitled, "Fire Arson Investigation" from July 17-29, 1988, at a cost not to exceed \$183.00, payable from Code Account PSTA, Bureau of Fire, Department of Public Safety. A City vehicle is also requested. This is a two-week in depth basic course for federal, state and local personnel defining successful methods for conducting legal fire investigations which may culminate in prosecution of arson. (PRIOR APPROVAL GRANTED)

Also,

No. 1138 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Detective Dominic Costa, Bureau of Police, to attend the National Fire Academy in Emmitsburg, Maryland for a course entitled, "Fire Arson Investigation" from September 12-23, 1988, at a cost not to exceed \$183.00, payable from Code Account PSTA, Bureau of Fire, Department of Public Safety. Permission is also requested to use a City vehicle. This is a two-week in depth basic course for federal, state and local personnel defining successful methods for conducting legal fire investigations which may culminate in prosecution of arson.

Also,

No. 1139 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Ronald Boggess, Bureau of Fire, to attend the National Fire Academy in Emmitsburg, Maryland



for a course entitled, "Command and Control of Fire Department Major Operations" from September 11-23, 1988, at a cost not to exceed \$183.00, payable from Code Account PSTA, Bureau of Fire, Department of Public Safety. This is a two-week course linking two subjects of interest to fireground managers - operations and safety. The course is devoted to command and control for chief officers in charge of several companies or who initially command greater alarm incidents.

Also,

No. 1140 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Steven Starch and Sergeant Nathan Harper, Bureau of Police, to attend a Vascar Instructors Training Course sponsored by the Highway Safety Traffic Surveillance Company at the Traffic Division, Bureau of Police on September 14, 1988, at a cost not to exceed \$300.00, payable from Code Account PSTA, Bureau of Police, Department of Public Safety. We are requesting that two people attend this course because they will be training additional officers.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1141 Resolution vacating Scott Place between Fort Duquesne Boulevard and Penn Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1142 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Louis Gaetano to attend a compactor demonstration in Newark, New Jersey

from June 29-30, 1988, at a cost not to exceed \$450.00, payable from Code Account 1502, Miscellaneous Services, Director's Office.

**(PRIOR APPROVAL GRANTED)**

Also,

No. 1143 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C. to attend the annual conference of the National Association of Telecommunications Officers and Advisors in Miami, Florida from September 25-28, 1988, at a cost not to exceed \$1,069.00, payable from the Community Communications Trust Fund. The purpose for attending is to remain current in the developments in the field of municipal regulation of cable television.

Which were severally read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1144 Resolution authorizing the filing of an application or applications for financial assistance in the amount of \$2,500,000.00 for improvements associated with the Stadium Renewal Project by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania. (The Stadium Renewal Project includes constructing public space improvements at Three Rivers Stadium - Ruhl Center for Science and Technology site.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day

following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1145 Resolution providing for an Agreement or Agreements with the North Side Civic Development Council so as to hire a consultant or consultants to conduct a traffic study of the Calbride Triangle Area of the North Side at a cost not to exceed \$4,200.00, chargeable to and payable from the 1981 Community Development Block Grant Program "Unspecified Local Option" (CC-81-01).

Also,

No. 1146 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Richard Bellisario and Richard Smith to attend a training workshop on the use of computers in preparing the annual CDBG Grantee Performance Report for the Department of Housing and Urban Development, in Columbus, Ohio from September 14-15, 1988, at a cost not to exceed \$405.00, payable from Code Account No. CDPA-1986.

Which were read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff** presented

No. 1147 Resolution creating a special trust fund to be designated as the Meter Installation Program Trust Fund in order to receive funds from the Pittsburgh Water and Sewer Authority and to pay for expenses of the program and providing for the transfer of \$200,000.00 from Code Account 1977

(197707) Utilities, Department of Water, for the start-up costs of the Department of Water's Remote Meter Installation Program.

Which was read and referred to the Committee on Water.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1148 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for J. Thomas Bruecken to attend the 1988 Annual Conference of the Water Works Operations' Association of PA at Penn State University, University Park, Pennsylvania from July 31 - August 3, 1988, at a cost not to exceed \$500.00, payable from Code Account 1992, Miscellaneous Services, Engineering Division, Department of Water. The meeting represents operators from the State that present problems and operational activities for discussions concerning the treatment of the filtration process and water operations pertaining to potable water service.  
(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Water.

**Mr. Wagner** presented

No. 1149 Resolution providing for the transfer of \$15,000.00 from Code Account 49, Index Code 004903, Reserve Fund-Sewage Service Charges, A.C.S.A.

to Code Account 43-1, Index Code 114317, Refunds-Fines, etc. The proposed transfer is necessary so that sufficient funds are available to issue refunds of traffic fines for the remainder of the year.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1150 Resolution providing for the issuance of a warrant in favor of Carl G. Lindquist, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, PA 15216, in the amount of \$1,742.08, for payment for the purchase of photographs for use by the Press Secretary, chargeable to and payable from Code Account 1017.

Also,

No. 1151 Resolution authorizing the Mayor and the Chief Magistrate of the City of Pittsburgh to enter into a Merchant Agreement or Agreements with Equibank for implementation of a Visa/Mastercard Payment Program to be instituted at the City Towpound and providing for the payment of applicable membership fees, discount fees, machine rental fees, and any other applicable fees and further providing for the guaranteed payment to the City of Pittsburgh by Equibank of all credit card transactions, subject to, and conditioned upon, the annual appropriations at a cost not to

exceed \$2,500.00, chargeable to and payable from Code Account No. 1023, Miscellaneous Services, Magistrate Court.

Also,

No. 1152 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Bark King, Senior Planner, to make an oral presentation for extension of the Single Point of Contact Project in Harrisburg, PA from August 2-3, 1988, at a cost not to exceed \$419.00, payable from the JTPA-1 Trust Fund. The City of Pittsburgh received \$1.8 million for the project through November 30, 1988. The Commonwealth of Pennsylvania is considering extending the program through June 30, 1989, with additional funding.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1153 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs 1988 Great Race/Finish Line Services at a cost not to exceed \$22,000.00, chargeable to and payable from the Special Parks Program Trust Fund, in the Department of Parks and Recreation.

Also,

No. 1154 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Carl A. Mancuso, Robert W. Stumpp and Dan Dziubek to attend the Reception/White House Ceremony honoring Pittsburgh's public

land stewardship activities submission to the Take Pride in America Program as a national semi-finalist from over 500 submissions, in Washington, D.C. on July 25-26, 1988, at a cost not to exceed \$350.00, payable from the Frick Park Trust Fund (FPTF), Bureau of Recreational Activities, Department of Parks and Recreation. Approval is also requested for Department staff to use a City vehicle for travel.  
**(PRIOR APPROVAL GRANTED)**

Also,

No. 1155 Communication from Louis Brown, Director, Department of Parks and Recreation, requesting authorization for Dr. Lindsay Clack to attend the 5th World Conference on Breeding Endangered Species in captivity in Cincinnati, Ohio from October 8-12, 1988, at a cost not to exceed \$700.00, payable from the Aviary Trust Fund (ATF). Dr. Clack will visit breeding operations at zoos in the area and attend sessions on breeding endangered birds in captivity, especially those with relevance to the endangered species kept at the Aviar.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 1156 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the Market Value of securities pledged as collateral by City Depositories as of May 31, 1988.

Which was read, received and filed.

## REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1157

Report of the Committee on Finance for July 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1067

A Resolution entitled, "Resolution transferring \$20,000.00 from Code Account 1977 (197707), Utilities, Purification & Pumping Division, Department of Water, to Code Account 1984 (198408), Repairs, Distribution Division."

Which was read.

Also,

Bill No. 1068

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1921 (192104), Premium Pay, Administration Division, Department of Water."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1070

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$200,000.00 to Ronald Nestor, individually and in his capacity as Administrator of the Estate of Marianne Nestor, deceased c/o Emil Pecori, Esquire, 906 Standard Life Building, 345 Fourth Avenue, Pittsburgh, PA 15222 in full settlement of a wrongful death action, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Lyons      | Mr. Woods   |

Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1071

A Resolution entitled, "Resolution providing for the issuance of a \$1,906.46 warrant in favor of Joseph J. Gluvna II and Marsha R. Gluvna in settlement of claim for automobile damage and car rental."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1072

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Finance and the Director of the Department of Parks and Recreation to convey a portion of Block 34 D, Lot 20 in the 18th Ward, and accept a portion of Block 33 E, Lot 50 as an exchange of property under certain terms and conditions."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1088

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$137,443.05 in partial payment of an Emergency Contract for the Reconstruction of the Windom St. Wall; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1096

A Resolution entitled, "Resolution transferring the amount of Twenty Five Thousand (\$25,000.00) Dollars, from Code Account 1505, Equipment, Index Code 150508, to Code Account 1612-2, Equipment, Index Code 161224 and Forty Thousand (\$40,000.00) Dollars from Code Account 1611-1, Utilities, Index Code 161117, to Code Account 1612-2, Equipment, Index Code 161224, all accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1100

A Resolution entitled, "Resolution

authorizing the Urban Redevelopment Authority to transfer up to \$200,000.00 (TWO HUNDRED THOUSAND DOLLARS) from the Title I Renewal Early Close Out Account to the Neighborhood Economic Development Investment Fund (NEDIF)."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1108

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Three Hundred and Eighty Three Thousand, Six Hundred Eighty (\$383,680.00) Dollars for payment to Complete Installation Services, Inc. and/or P&LE Railroad for the purchase and storage of Used Office Furniture due to the renovation of the Public Safety Building. Funds are available in Capital Code Account GS88-05, 4-30-01-0010-88,

Index Code 370692, Retrofit of Public Safety Building, Department of General Services."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6                      NOES 1

(MR. LYONS VOTING NO)

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1110

A Resolution entitled, "Resolution authorizing the City Controller to issue and the Mayor to countersign a warrant payable to Fred S. James Company to continue administering the Workers Compensation program for the City of Pittsburgh for a period from July 1, 1988 to August 31, 1988 at a total cost of eighty-one thousand six hundred sixty-six dollars (\$81,666.00) chargeable to Workmen's Compensation Fund, Code Account 44, Index Code 004408."

Which was read.

Also,

Bill No. 1111

A Resolution entitled, "Resolution authorizing the City Controller to issue and the Mayor to countersign warrants payable to the following and the amounts payable: Crawford and Company, one hundred forty-one dollars and fifty-one cents (\$141.51); Interpose, thirteen thousand three hundred forty-two dollars and forty-nine cents (\$13,342.49); Smart Corporation, six hundred seventy-three dollars and ninety-four cents (\$673.94); Hoover Rehabilitation, two thousand seven hundred thirty-one dollars and fifty cents (\$2,731.50); Rehabilitation Management Services, eleven thousand seven hundred forty-four dollars and seventy-two cents (\$11,744.72); Hospital Correspondence, ninety-five dollars and fifty-nine cents (\$95.59); and Physicians Review Corporation, four hundred and fifty dollars (\$450.00), for a total of twenty-nine thousand one hundred seventy-nine dollars and seventy-five cents (\$29,179.75), for services rendered to the City of Pittsburgh which were not covered by the scope of services for the administration of Workmen's Compensation program, chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Index Code 004408, Department of Finance."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1112

A Resolution entitled, "Resolution amending Resolution No. 222, effective April 12, 1988 entitled: 'Providing for a Professional Services Agreement or Agreements for the administration of the City's Workers' Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed one hundred thousand dollars (\$100,000.00) chargeable from Code Account 44 Workmen's Compensation Fund, Index Code 004408, Department of Finance,' so as to change the beginning date from July 1, 1988 to September 1, 1988 and increasing the annual fee to \$600,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Wagner:**

Mr. President, in regard to Bill No. 1112, I'd like to make a motion to amend to increase the amount in the bill from \$600,000 to \$650,000.

Mr. Coyne seconded the motion.



Which motion prevailed.

**Mr. Coyne:**

Mr. President, I'd like to make a motion and ask my colleagues to support me on this to recommit Bill No. 1112 until Wednesday.

Some other questions have come up that I'd like to discuss with Mr. Turner, and I think that some other interested parties in the City also have some more questions, and I don't think its asking too much to recommit this until Wednesday.

**Mr. DePasquale** seconded the motion.

**Mr. Wagner:**

I would simply urge Council members — I'm going to vote against recommitment. I believe we had the people at the table last week to discuss this bill. The bill is coming out of my committee. I would like to see us professionalize this Workers' Compensation situation as much as possible.

And, I believe there has been great movement in that direction recently. I would not want to see that reversed. Two out of the five bills that were submitted by the Administration were held, and were held for I believe approximately six weeks until after Labor Day.

We all have been very well aware of this problem and urgency of the problem to get on with doing some things in a professional manner from a safety point of view in the City, with a professional Workers' Comp. Administrator. And, I personally have looked at this issue as much as anyone in City government, and will continue to, and will continue to be on top of it, and I urge Council to support it.

**Mr. Lyons:**

I'm on Bill 1108 for the \$380 —

**The Chair:**

Wait a minute. Can we get back to the recommitment.

**Mr. Pollock:**

Just 1112 the recommitment motions on.

**The Chair:**

So, we'll just discuss 1112.

**Michelle Madoff:**

I would urge against recommitment. Everything that needs to be said can be said out here today. If there are any concerns. I think there's some confusion that can be readily cleared up, and there may be some new legislation needed to change the way the procedure has been handled in the past. But, we need to get on with this piece of legislation. We are now at the 25th day of July and we will be out of session on the 15th of August. We don't have very much time. We need to make sure that this legislation becomes effective immediately.

This issue obviously holding it up is that there are certain members of Council who feel that they're entitled to know who the contract is awarded to, and I think that needs to be clarified. We have never had that prerogative. It is a strong Mayor system and a weak Council system. It may not be the way we like it, but we can change that process. The ten years I've been on Council I've been given the snow job that we must encumber monies before we go out on a contract. As you know, I'm presently having a —

**Mr. DePasquale:**

Point or order, Mr. Chairman.  
We're on a recommittal.

**The Chair:**

Just please talk about the  
recommittal.

**Michelle Madoff:**

The point I'm making is that we need to get on with the bill. We do not have a say unfortunately, in who is, or fortunately it depends on what your perspective is, of who the actual contractor is; and the reason for it is that every member of this Council gets monies of contributions to their campaigns from various contractors who would love to have this bill; and it is inappropriate for this Council to be picking the person. Once they have made the decision we will be notified. What we need to be sure of is that the decision was made wisely.

**Mr. Coyne:**

Mr. President, on the recommittal.

**The Chair:**

Is there any other discussion on the  
recommittal?

**Mr. Ferlo:**

Mr. Chairman, on the motion to recommit I would like to support that. Frankly for somewhat of a selfish reason in my absence last week. But, secondly this is a very complex issue and I do have faith that Director Turner and the Administration have worked hard on the issue, but I think there are a number of questions that still need to be discussed.

We have until, I believe until the

August 31st deadline. Obviously, we would not want to wait until the last minute. But, surely another week would not upset the Administration's plans in terms of moving ahead on a contract. Regardless of whether or not we know who the vendor is or not. I don't think its an outrageous request for an additional discussion of Wednesday.

**The Chair:**

Okay, does anyone else want to speak? I would urge you not to recommit. I think that it was rehashed, it was talked to death last Wednesday. I believe that is the -- even though I don't like the idea, I believe that we should know who the contractor is going to be, but we're not.

I believe its the Administration's prerogative to give the contract to whomever they want, and I would urge you to move ahead. One week in the transition does mean a lot Mr. Ferlo when you go from a month with such a critical piece of legislation, and the job they do in a week is a lot of time in a transition from one company to another, if they are going to do that. So, I would urge my colleagues not to recommit the bill.

Roll call vote, please.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Ferlo  
Mr. Pollock

AYES 3                      NOES 5

Noes:

Mr. DePasquale      Mr. Wagner  
Mr. Lyons            Mr. Woods  
Michelle Madoff      (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**The Chair:**

Is there any discussion on the bill?

**Mr. Coyne:**

Mr. President, I feel that Council is making a grievous error by not voting to recommit this bill one week. The legislation itself is incomplete because it doesn't contain the name on the part that the City is planning to do business with.

It's not a question of trust of Mr. Turner's work or a question of trust of the Administration's decision of who they pick, but as Mr. Wagner stresses we need professionalism. This is a professional Council. We have every right whatsoever to know who this company is that the City is planning to do business with. It's our legislative responsibility to know where this money is going.

By passing the bill what we're doing is nullifying Council's oversight powers. Just because its been done this way in the past as Councilwoman Madoff states, doesn't mean its right. In a democracy the legislative review process sets up a checks and balance system. We're throwing that all out the window with

this vote right now.

Now, I don't want to be involved and I don't feel Council should be involved in the selection process. This is something that rightly belongs to the Administration, but what we have here is the Administration possessing universal powers. They come to us, they say they want to go out on a bid, they go out and secure the company that's going to do the bid, and then they pay the bid without Council ever seeing again what happens to it, and then they come back asking for more money, and more money for things being done, and we in turn have to pass more money going out to them, and we don't know initially what is being done.

If this line of thinking was carried out to its logical conclusion what would be the need of a budget. The City of Pittsburgh wouldn't need a budget because all that the Administration would have to do, would be to come to us and say we need \$5 million to run the City next year, give it to us. We don't need to know the department, we do not know what they're using the money for. All we to say is okay we trust you're going to do a good job and give them the money, and that's what they're doing here. They're coming to us and they're asking us to give them the money to go to ex company when we don't know who ex company is.

In getting back to the issue of the incompleteness of this legislation, Section 510 of the Charter states, "that Council shall authorize contracts". That everyone knows that for a contract to be binding it not only has to list what the parties intend to do for one another, but it also has to list who the parties are.

Now, this surely is not a legal contract because we do not know who the party involved are, because we don't

know who the company is. Therefore, Council cannot authorize this because it's not a legal contract.

Now, granted we do need to get on with this, and granted Council will be going on a break in three weeks I believe it is, but I don't believe that we're asking anything to much to know who this company is.

What this is insinuating on the Administration's part is that Council is irresponsible, and every member of this Council knows that's exactly what it is. When you hear of money being kicked back or you hear about Council members accepting money from different companies and we could be involved in the process. You know, no one sitting at this row of tables here can tell me that the Administration doesn't accept money from contractors. No one can tell me that the Administration doesn't accept money from different companies.

Therefore, as much as anyone wants to question our legitimacy on choosing the company, I have to question the Administration's legitimacy. Now, would the Administration come over here and say they doubt anyone of our's trustworthiness, or did they say to you or anyone sitting here at this table that they think we're untrustworthy, but that's what they're doing. By doing it this way, what they're saying is that we do not have the scruples, we do not have the professionalism, we do not have the interests of the City of Pittsburgh at heart, and therefore, we cannot make an adequate judgment on this issue, and I'm saying that anyone who votes for this right now regardless of the fact that there are several questions that I believe the Fraternal Order of Police Union for one has, and the Firefighters, is that we're doing something without knowing everyone involved. We're voting as Ms. Madoff often says, we're voting in a

vacuum, and I don't think Council wants to vote in a vacuum. We have a right to know, and not only on this bill, but on every other bill from now on that comes down. We just cannot appropriate money without knowing who it's going to. So, I would have to ask on this matter if we're not going to recommit for my colleagues to vote no on this issue.

**Michelle Madoff:**

Mr. Woods and members of Council, particularly those who have been here for some time, and I think there are probably two of us that have been here the longest period of time, that's Mr. DePasquale and myself.

For good or for bad the process of going out on contracts have always been done in the same manner. The Administration through its department heads comes to us and says, i.e. we'd like to build a building, we want to demolish a fire station, we want to go out on a service contract on the community group, and this Council says, yes or no, we think its a good idea or we don't. We authorize permission to proceed on the contract.

At that point the Administration has come to us and said, not to exceed and using the Ohio River Crossing for example, they said not to exceed \$2.6 million, and the bids come in at \$2 million. I think the low bid was \$2.3 million. They say, we want to go out and demolish a fire station, and they say not to exceed \$70,000. The bids come in at \$66,000, \$67,000 and \$68,000.

My concern and this is how Mr. Woods raised this issue and sort of delayed this until this point was that he had finally agreed with me, he said we should not be advertising the amounts of money that we have to give away, because even on this contract when it

first came up at \$600,000 on a negotiated service contract. This is a service contract, this is not bricks and mortar. These are negotiated contracts as opposed to the traditional concept of lowest responsible bidder.

The question was raised and I think by Mr. Woods who said, how do we know we can't get it done for \$200,000, and I agreed with him. At that point we got Dan Pellegrini to admit that there was nothing in writing, and that for ten years he had been saying you must encumber the money --

**Mr. Coyne:**

Mr. President, this isn't on this bill.

**Michelle Madoff:**

It is on this bill.

**Mr. Coyne:**

No it's not.

**Michelle Madoff:**

It is on this bill.

**Mr. Coyne:**

No it's not.

**Michelle Madoff:**

May I continue please?

**The Chair:**

All right, but just kind of go back to the bill rather than --

**Michelle Madoff:**

I'm trying to explain what the process was --

**The Chair:**

I understand what you're saying --

**Michelle Madoff:**

And I'm picking up from my esteem colleague --

**The Chair:**

Wait a minute. Now, let me bring this all back down. Ms. Madoff and I hate to do this, I'm trying to be very lenient with everybody. You brought up first about the campaign contributions and all this, and then Mr. Coyne brought it up, and he followed it up, so now you're going to rehash this thing again.

**Michelle Madoff:**

I'm not talking about this --

**The Chair:**

I know, but I mean that's how we went off base to begin with. That they didn't trust us because we get contributions or whatever from some vendor. I mean let's all get back down to earth. Let's talk about the bill, why we are either for voting in favor of this bill or against this bill. Mr. Coyne stated why he was voting against it.

**Michelle Madoff:**

I'll stay on the bill.

**The Chair:**

Please state why --

**Michelle Madoff:**

I'm trying if you'll bear with me.

**The Chair:**

I know but its —

**Michelle Madoff:**

The issue is very simple. Mr. Coyne feels that the process is incorrect and it should continue even though it has been that way ever since I have been here. The process is to get permission from this Council to go out on a bid, and to determine at that point which is wrong, how much that bid should consist of, what the dollar figure is. The number goes out and says, come and get us, and they come and get us.

Now, after they have made the award of the contract without having determined on bricks and mortar what the real costs are in my estimation, they come back to this Council and say, we went out for a bid not to exceed \$70 million in this case \$600,000, and they come back and they say okay we have now approved this bid, and they tell us who it is. But, it isn't until after the award has been made that we have ever been notified ever, ever, ever, who the person is that is getting the contract.

Now, I don't have a problem with my colleague, Mr. Coyne. If he believes that and I'm not saying that he's wrong, that we ought to be notified in some mechanism where once they've made the decision, and they have now made the decision of who the contractor is — my understanding is that the minute we vote to approve the contract, which is what we have always done — we've approved going out to bid on a certain dollars. This time we held them up and made them go out without a dollar figure by Mr. Woods putting in \$100,000 instead of the \$600,000.

But, traditionally in the normal process once they make an award so that

nobody has any input from this Council to say I have a favorite contractor for whatever it may be. They do the picking supposedly on merit. The shortcoming I see is who determines what the actual dollar should be. That doesn't matter whether its a fire station or a service contract or what have you.

My understanding is that they went out and determined that \$600,000 is in the ball park. I don't know whether that's right or wrong. Maybe, it's because we paid \$600,000 for the last people doing it, so they say well we've now determined the price of managing the contract. I'm not sure there isn't someone out there who wouldn't do it for \$200,000.

But, the issue is that you cannot change the rules on one bid until you change the whole process, and I've encouraged Mr. Coyne to come back with legislation that says, we will no longer do it with this process, and I think that we'll be shot down, because the Administration under State Law and under the Home Rule Charter is the agency that chooses who will do the work, who will get the contract based on the lowest responsible bidder or the most qualified.

What I'd like to see them give is some documentation at some point, even if its after the fact, how they determined the actual cost of that contract. How did you determine it's only going to cost us \$600,000; and you know it isn't \$600,000 anymore it's \$650,000, and so what I'm saying if you want to change a process we can look into doing that, but the process has never been any different. Am I right Mr. Woods? It has always been, we approve going out on a contract, they tell us not to exceed, they go out and they pick the person, and they come back and say next week, they'll say move to a — whomever

it will be in the amount of, and that's how its been done; and I don't know that it is any worse to have the Administration do it, then to have members of Council doing it, or to do a combined effort might be a compromise. I don't know. All I can tell you is that from a legal point of view we don't have that prerogative. It is illegal for us to choose.

**Mr. Ferlo:**

Yes, Mr. Chairman, I was going to abstain on this bill, because of my lack of being here at last Wednesday's meeting, and we have failed to recommit the bill, so on the actual motion at this time I would have to vote no on the legislation.

Frankly, I was hoping to be able to vote yes, because I wanted to in taking Mr. Wagner's comments this is an important piece of legislation. He probably to some extent has certainly studied the issues, certainly more than I have, and I would admit that.

I guess I'm somewhat disappointed; there's only been a few times that I can remember since January 4th that my colleague Mr. Coyne has been so vocal on a particular issue, and I think quite frankly out of respect for him in terms of being able to discuss this more fully, that's quite frankly why I wanted to see it recommitted. I think we owe that to a colleague.

The standard operating procedure of previous Councils does not have to remain the status quo in response to my colleague, Michelle's comments. That there's new ways to do things. This is a new Council both in style as well as politically, and if there are Council members who want to change the standard operating procedures of this body, I'm all for it if it makes sense.

I don't think that holding this bill or wanting additional information is not be professional, or not wanting to be supportive of the Administration's intent as it is to reform the Workers' Compensation problem, and it is a problem. I mean we have not really talked about the fact that the Administration has botched this up over the last few years. I cannot in good faith vote for this legislation, and I'll say it quite frankly and publicly if Fred S. James Company is the company that's going to benefit from the contract.

Now, I don't know if they are and I don't know if they are not, but I cannot vote for this bill today and tomorrow morning or this afternoon be informed that they indeed once again have secured this contract. I think there are a lot of good reasons in evaluating their performance. In particular the way they dealt with employees under the system who are on Compensation. I cannot in good faith do that. I don't think it's an outrageous request, and Mr. Coyne has pointed to at least one section of the Charter that suggests that Council has more input than what Mr. Pellegrini or Mr. Turner would like this legislative body to have.

Since everyone's sort of lining up on principled stands I'll make a principled stand, and that is very clearly that I don't think it's an outrageous request that when a union in this case the Fraternal Order of Police — I've not received any formal communication from the Firefighters, but I don't think it's outrageous request since we are the legislative body and act as the judge in these matters to hear all sides, to hear all comments and concerns. I don't think it's politicizing the process to hear out the representatives of the F.O.P. on this matter. Whether it be a public hearing or some type of a post agenda prior to a formal and final vote on this legislation.

So, since we're all lining up on our principled stands it's certainly a principled stand that I will take, and it's certainly something I feel strongly about. Whether its fire trucks or for any other issue effecting the workers here.

So, because of the lack of willingness on some members parts to have one more discussion in a Wednesday format with Director Turner and other parties involved, lack of willingness to hear out the F.O.P. and others who are beneficiaries of the program as part of our analysis, because of the fact that in the information that I received in writing from Director Turner prior to leaving I asked him to please send me a listing of what type of an evaluation did they go through, and other then getting an itinerary of what they went through and again a copy of the R.F.P., I didn't receive any synopsis of how they evaluated the various companies that responded to the R.F.P. There was no evaluative information given to me as an elected official.

I apologize that may have been given to the rest of you on Wednesday at the last committee session. I think not though, and I think that information is owed to us regardless of how you feel about whether or not we should know the particular vendor; and to respond to Michelle's comments earlier, I mean we sometimes bring ourselves down on this Council. I mean to suggest that you know we're going to vote one way or another because of political contributions or because we're all running for Council next year is an outrageous comment, and I hope that it will be retracted. The Administration is up for election next year and all the department directors as much as we are as elected official, and no one has received more money from people who receive monies under the professional service contracts then the

Administration, and I'll match that with my contributions against their's any day to review that concern. So, that just is not a good statement to make, and I think it derides the importance of our participation and our ability to have some input.

So, because of all this discussion at this time I will change my abstention vote which I will make to a no vote on this legislation.

**Michelle Madoff:**

I would like to request again that my comments from the day we started with the Police and the Firefighters when the million dollars — the \$800,000 dollars was being transferred to Workers' Compensation, and I raised the issue of the problems of Workers' Compensation be brought forward in the final minutes.

I do not see them here. I see issues that — I only see the comments from March 30, '87. I want to go back to the beginning when I initiated this whole effort, and I think that would be relatively easy to find by asking Glenn Cannon or Jacoby approximately when that date was, if you're having trouble locating it, thank you.

**(REMARKS REQUESTED BY MICHELLE MADOFF - JULY 29, 1987)**

**Michelle Madoff:**

Mr. Jacoby, as the Finance Officer of the city, the public and my colleagues may not be aware that what happens frequently is that bills come one at a time and if you look at them separately there is no significance. But when you see a number of bills, and I must thank Mr. Woods for pointing out that this is not one that I addressed, that the bills I looked at had 1 half million going to worker's comp and another bill had 12



thousand and I forget what the third one had came to, and with this one, we are looking at close to \$1 million transferred to worker's comp. Is that for monies already committed or because we have problems in worker's comp and there are more people that have left the Public Safety Department? Would somebody tell me what this almost \$1 million is going to be used for in worker's comp? Is this the new arrangement to payoff and lower the debt which is devastating the City's budget, workman's comp—several years ago we revamped the program. Or is there two factors. Have we lowered the worker's comp or increased it? I want to know the answer to those questions. Is this an obligation we contracted for, one and two, what is the status of worker's comp with Mr. James who does all our worker's comp. Have we lowered our debt? Raised it? Have we lowered the numbers of people on comp each year or increased it? The floor is yours.

**Mr. Jacoby:**

Let me start by giving, if you don't mind, a brief history of how worker's comp has been handled in the City. The City of Pittsburgh is one of the very few self-insured worker's comp entities in the state. We have traditionally been self-insured. That means we pay our obligations.

**Michelle Madoff:**

At that time we found that the bulk of claims were coming out of the Refuse Department. People were hurting themselves lifting up heavy tarpins and so on, and we had the greatest claims there, and Mr. Yatch instituted a safety program to train the drivers how to lift, and then we went to curb-side pick up. Would you say that that did help keep our claims down.

**Mr. Jacoby:**

Yes.

Let me present, if I might — this is a report that is prepared for my review and the Mayor's Office review, and I'll be glad to share it with Council. This is a report for 1987 through July 10, department by department, of spending

**Michelle Madoff:**

Let me respond to that. What happened when this whole thing started when I instituted the study that resulted in the first safety program put in the Refuse Department was that by retraining the drivers, we are able to cut down those costs. Now everybody knows when you have firefighters, part of the reason firefighters job is so dangerous—we know how dangerous their work is. We instituted a program here before you arrived that we would no longer allow—and Mr. O'Malley was supportive of this—we would no longer allow—it was a unanimous vote of Council that we would no longer allow uniforms to be negotiated as part of the labor contract. That was something we would vote unanimously for to protect our firefighters, and we wanted them to be trained to use the proper oxygen mask. They were not using them because they felt they were breathing through straw. And we are still improving that and working with the firefighters union, members of this Council and Mr. Cannon, because that's important. And that's where we are going to bring savings down. But I am sort of surprised. You are telling use that the highest number of claims are in the firefighters or is the highest dollar factor?

**Mr. Jacoby:**

Higher dollar factor.

**Michelle Madoff:**

I want to know two things. Where are the greatest numbers of claims percentage-wise in the department?

**Mr. Jacoby:**

The claims are broken down between what are called no-loss time claims which can be anything from a cut hand that requires some brief medical attention and the individual can go back to work to the very long ranging, very serious disability claim. I don't have it for you right now, but I can get for you a breakdown on the number of claims breaking them down not only on numbers, but also how many are lost time and how many days of lost time we have.

**Michelle Madoff:**

Mr. James could tell you that right off the top of his head. Mr. James knows because that's his job to know.

You know what departments because you have been surveying all the departments. You can tell us where the greatest number of claims are, can't you?

What is the percentage of our budget that we are spending on worker's comp?

**Mr. Jacoby:**

Approximately six or seven percent.

**Michelle Madoff:**

Six or seven percent and nobody on this Council noticed we had all these workmen compensation transfers and even asked a question, and we are voting.

May we address this. No.1, this

Council almost to a person, except Mr. Stone were for having the disabled in Fire, Police, etc. come back in labor jobs answering perhaps 911 because they know the job and to deal with that kind of complaint immediately. My understanding and I think it was brought up by Mr. Stone is we didn't have the right to do that because of the liability we would incur, and I remember your predecessor saying what if we do that and they get hurt again, we have double liability. So, that was something that was to be addressed. Almost every member of this Council said why can't we have a firefighter at home who can not climb a ladder sit at a telephone.

Mr. Chairman, I want to thank you for being even handed and fair and making history. This is the first time that anybody other than the Three Musketeers had been fined, and I want to thank you for seeing the importance of the debt and the impact it has on all taxpayers of the unfunded pensions, and as I said, it came to my attention as I was reading the Monday's list and happened to see three transfers of almost \$800,000.00 in worker's comp, and I think the information that you are allowing to proceed with is very enlightening to the public. You knew this. I knew this. But I didn't know the magnitude of what was happening, and I think that as a Chairman, the most important function you have is not only to keep order, but when we are doing a Finance Meeting is to let the public know what is happening and what is going on, and you are to be commended.

Let me summarize, so I know what you are saying because I think you left something out, and perhaps George can address it. You are a firefighter, a police officer. Where else does this apply? Any employed person for the city? Does it apply to anybody on worker's comp? It's 100 percent of his

salary tax free.

**Mr. Jacoby:**

No. The salary continuous is for Police and Fire.

**Michelle Madoff:**

So, if you are injured and working in your office, in the Finance Office and somebody is injured there, they get what?

**Mr. Jacoby:**

Sixty-six and two-thirds of their salary to a weekly maximum of \$367.00, I believe.

**Michelle Madoff:**

Can I ask one quick question. There is one dimension that has not been touched on and it may be one that people may not be aware of. Because I don't know this to be fact, and I want to be corrected if I am wrong, if you are a firefighters you get 100 percent even if you are physically able to come back to do lighter duty. You get sixty some odd percent if you are a non-hazard employee working for another department, and that's what you get if you are working but unemployed and not allowed to come back and you are working to correct this. Now the other dimension that has not been touched upon is — isn't there some provisal in State Unemployed Benefits — when you get to 65 or 62 you get Social Security. Isn't there a provisal for Social Security benefits for disabled, and does that take your salary into account or does that — do you double dip, or do you not double dip?

**Mr. Jacoby:**

For those individuals who are

covered by Social Security and a large —

**Michelle Madoff:**

Let me clarify my question. There are two kinds of people that qualify for Social Security, those over 62, those children or widows whose husband's have died and are qualified or the children of widows, or the husband is disabled and the family is eligiable. You don't necessarily get Social Security because you are 62. Now if you are a single employed person and you are getting 100 percent being a firefighter or a police officer, how does that affect your getting Social Security payment for being disabled? This is very very important because I think there is double payment, and we need to know that.

**Mr. Jacoby:**

I want to ask the technical expert, but there is a large segment of our employee population that is not covered by Social Security.

**Michelle Madoff:**

Let me rephrase my question. Suppose you have an employee that works for you as a clerk or an assistant in statistics. They are not a firefighter, but they work in your department. They are injured and trip over a chair and fall down an elevator shaft, whatever, and they can no longer work, is that person eligible for two payment, one from worker's comp and the other from Social Security?

**Mr. King:**

Yes.

**Michelle Madoff:**

I've been here nine years, and this issue has come up repeatedly. What has

been done over nine years to try to solve the problem. Have you sat down with the union leaders to explain to them this means more salaries to those working if we can keep the benefits down to those who don't deserve. Have you sat down and worked with people as opposed to saying this is the way it's going to be. What has the approach been?

**Mr. Jacoby:**

We have tried to take a very professional approach in this. We have a private administrator who reviews the claims professionally. We have put in some safety programs. We have put in some safety programs. We are attempting to put in alternative duty programs and we are establishing a panel of physicians to treat the individuals in the first 14 days of their illness and to review their conditions to see if they can come back to work. We use to leave the employee to his own device, to find his own doctors. We are now trying to assist him to get to the best medical specialist available to treat his or her condition. We are doing everything we can. There is a lot more room to grow to try to get the employee injured the best treatment possible. And we are doing the best thing we can to prevent the injury in the first place.

**Michelle Madoff:**

I know for a fact someone who is injured who worked in my office years ago who fell in your new office. It wasn't your office at that time. Over a pipe coming out of the floor and no table. If a table had been put in by a private contractor, she would have sued. There was no one to sue. She was covered by worker's comp and she had been harassed for years because there is a feeling of making people come back — I'm going to show the city I'm doing my job by getting people back. I would hope

that that isn't the policy of James Corporation to go after those who are genuinely ill. She has not worked since that time. It's very sad, and she's a very nice person and would like to work, but has not got the use of both shoulders now. But, this problem of having a million dollars that we sit here and vote on because it's brought to this Council, \$300 thousand dollars, \$50,000, not in total. It has got to stop. One of the things I would like to request from the Finance Chairman and from Mr. Jacoby is that in the future any time we are making a change of dollars or an increase to worker's comp, that you do not present it to us as a number and say we have to date are transferring 500 thousand which brings it to 800 which brings us to a million and now to six percent of our annual budget so that this Council knows what is happening and so that the people who think and a lot of people go after insurance companies because they say it's not hurting anybody. But in this case, we are self-insured. Those entitled should not be harassed. Those not entitled have got to come back and give something back and give something back in the line of some work replacement of some job we have to hire, and we are all in agreement with it. I'm distressed this has been around with it. I'm distressed this has been allowed to go on to a point, that this city is in a terrible financial place. It's a terrible situation. I know we get quarterly reports. If I were an accountant, I could decipher them. I have not enough money in my office to hire an accountant. And we will next year get a fiscal analyst, hopefully. It's a very serious problem.

One question and perhaps we can wind this up. Is there any legislation being proposed in Harrisburg that would address the non-hazardous employees — not those that put their life on the line — so that they do not get both worker's

comp and Social Security?

**Mr. Jacoby:**

No. There is nothing pending.

**Michelle Madoff:**

Can we look into that?

**Mr. Jacoby:**

I would be happy to.

**(REMARKS FROM JULY 20, 1988)**

**Mr. Turner:**

What I would like to focus on right now is to really run through the whole worker's comp situation, some of the history, the problems and what we are proposing to do about it and how that pertains to the bills in front of you. I am going to ask the Councilmembers indulgence to turn around and look at the screen, because we are going to run through some of this. I think visually you can see it a lot better. Pat, if you put the first slide up here.

The first slide clearly shows that the reason we are here today is that the compensation costs have grown enormously over the past four years.

In 1984 we spent a little over 12 million and by 1987 we were over 18 million; a 50 percent increase during that time frame, that is a three year period. You project that out another three years and we are talking about \$27 million in compensation costs. Very clearly, we cannot afford this. Within my department, it is the No. 1 internal priority, and that is basically to change the way we do business with respect to compensation, how we handle it, because the current trend is simply unaffordable. Next slide, please.

Now, when we look at costs, we can really categorize them into three different areas. Some of the reasons for cost increases, quite frankly, are very understandable. We have had medical care inflation during this period. As everyone is aware, that is beginning to increase rather dramatically again. We have seen salary and wage increases between '84 and '88. Some of our bargaining members got cumulative increases of 20 percent, that impacts our cost. We have seen increases in the state weekly maximum, they have gone up almost 20 percent during these last four years. And the fact that we have an aging work force in many of our departments. All of these represent reasons why costs have increased, and we can expect to see that.

The next slide deals with some other reasons where, quite frankly, it is a little less understandable to explain why we have had these increases. We have seen continuing referee rulings from the state referees which ultimately make these decisions, especially in the area of stress, which has been very difficult to understand and has been very costly. Nationally you are seeing three times the level of stress claims that you saw approximately eight years ago. In addition, stress claims traditionally are double the cost of a traditional claim because they go on for a much longer period of time. We have had two cases go against us this year which are going to result in an annual cost of \$100,000.00. Those have been difficult for us to explain and are one of the reasons why we have seen costs going up.

Over the years we have seen changes in the law with respect to the Heart and Lung Act, with respect to how we pay back salaries even in cases where we have received the physician's affidavit of recovery, until the rulings occur from the state referees and as a

result of these changes, we have seen increasing costs.

The third item, quite frankly, is an attitude change, and all of us are aware of that. And I still think back to my father, and if he could walk, he went to work. We are not seeing that same kind of effort today, and obviously that affects us in terms of our finances.

The last category which at least explains a rise in cost are the items that there is no rational explanation for. We now have a system which there are financial incentives in place which encourage abuse. As long as an employee gets more money to stay home than to come to work, we can't be surprised if we find incidents of abuse.

On the safety practices, over the past two years, quite frankly, since the safety effort has gone to Public Safety under Joe Cally and Glenn Cannon, we are seeing an evolving effort, and it is much better than it was two years ago, but we are not there yet. We have to continue on the safety efforts and continue to do more.

I believe we have had inadequate administrative efforts, and that falls in my lap, that is my responsibility, and we are going to change the way we would do business internally. We are staffing up that area rather dramatically, and we are going to do things much differently than we have done in the past.

Finally, we have had inadequate enforcement. When you take cases to a state referee and you have one doctor saying he is fine and dandy and can go back to work, and another doctor saying there is no way that he can work a full day, the referees have no idea what to do. Prior to this contract we haven't had the ability to do the kind of surveillance and verification and work checks that we

absolutely must have in order to present a good case to a state referee.

Now, what are we going to do about it? We have already started doing a number of things, and I have broken this into several categories. The first are what I will refer to as some of the financing strategies. Some of these are fairly technical, but they are important. And that is the use of what we refer to as annuities and structured settlements and commutation. What we are talking about here in some cases on a commutation, that is simply a buy out. In other words, you sit down as an employee and instead of paying them for the rest of their life under the program, you work out something that is reasonable to them. And some people are very interested in that. They may wish to go to school or start a new business. But what you do is you settle it right then and don't have this liability going on forever. Likewise with the annuities, that is a case where you structure a payment over a series of years, using life insurance companies. And again you have situations where, for example, in some cases a worker's comp benefit may end if the individual dies from some other cause. If that individual has dependents, they may be more interested in some type of annuity that fits their need.

In order to do both A and B up there, we need a source of funds. In the past we have been contributing a small amount of money to a trust fund. That trust fund was designed to partially offset an unfunded liability, but, quite frankly, it is doing very little to that extent. What I am proposing is that instead of using — we will use at least a portion of that trust fund contribution in order to finance, to give us money for the commutation, to any annuities, so that we get rid of the unfunded liability right off the bat.

Surety bond costs, this is an area where the City was required to put up a \$5 million performance bond. Initially that cost us \$3,000.00. In today's market that would cost us \$600,000.00. That is totally unacceptable. It really doesn't do anything. We are going to meet with the state in August on all five of these items up here. We simply have to change the way we do business with respect to financing this program.

A major problem that we have had in the past and that I think we are addressing very aggressively right now is making jobs available. It is a fact of life that there will always be some individuals injured on worker's compensation. I believe very strongly that we as a city have an obligation to make some work available to them that meets their physical limitations. Under that scenario, they, then, have the obligation to accept this work and do it. We have three programs in place. The alternative duty program, basically that deals with people who have been injured and they expect to return to the full range of their duties within a six month time frame, it is a short range program. So far in 1988 we have had 91 employees who have been assigned to alternative duty positions, 43 are still on alternative duty, 38 have returned to their full range of duty, 5 have, unfortunately, returned to the workers' comp roles, there have been 3 injured, and 5 have simply resigned or left the City for whatever reasons.

The modified duty program is a long-term duty program. That deals with someone that everyone agrees is permanently and totally disabled; they simply cannot come back to work in any capacity with the City or have no prognosis to return to capacity to do their original work. They simply will not be able to do what they were hired to do. In this case, what we intend to do is

take everyone going off on permanent and total disability and bring them back in some lesser fashion through a modified duty program. We expect within the next two months to offer 10 employees jobs under this program. This is one that was announced recently, this will be a slower program, but what we are trying to do here is find jobs for everyone.

The temporary modified duty program is one that was just announced a month ago, and I think has the — that I am most optimistic in terms of its immediate impact. Basically this deals with everyone else; those that aren't going to return short range, but yet haven't gone off on permit and total. What we are doing is making jobs available to them. So far, for the past, I guess, four weeks now, we have approximately 40 individuals who we have sent job offers to, we have approximately 15 back at work, we have another 10 that we are petitioning the state to terminate their benefits because they have refused to return back to work. We have employees in at least one case who refused to do surgery for many years in order to come back to work, they have suddenly decided it is now time to do that. That is fine, regardless. But all of these are moving because we are going to bring people back to work.

Finally, the out placement effort to the extent that we can't employ them in-house, we need to do more in terms of finding them jobs outside of the City.

Some of the other things that are in place or will be in place, we have a charge back system that right now was designed to keep each department accountable. For the first time this year all departments know that if they spend more than what was allotted to them in worker's compensation, those transferred funds, in order to make the additional

payments, are going to come from the department from their own code accounts. So it is going to affect them, we want it to affect them, we want them to be responsible for it.

Item B is a program that I hope we can announce very shortly. What we are looking for here is to do some type of shared savings so that when we have employees who have not been injured, that they can share, financially share, in some of the lowered costs that we hope to have through workers' compensation.

All of that, of course, has to be negotiated with the unions. There are some discussions going on right now with one or two unions, and we are optimistic that we are going to be able to put something in place so that the employees themselves can benefit by bringing down the worker's compensation costs. All of us have a stake in this, participate in this, and we are trying to do that.

Finally, we clearly have to reform the state laws that impact us. As long as tax reform is out there, that must be the City's first priority. Until that issue is decided one way or the other, we can't make a big push on this. But I hope and I expect that for next year the reform of the state laws that simply make no sense with respect to paying people more to stay home and things of that nature, we have to present a package to Harrisburg and lobby for those changes.

Finally, we have to improve our own operation in terms of the program and inefficiencies that we now have. Right now we have the capability to require all individuals to go to our doctors through the medical panel that we select within the first 14 days, and we have to make that a requirement; we simply have to enforce that. We have to do more case management efforts, we need to visit them at the homes and see

what can be done to rehabilitate and to get these people back to work. We have to do more in the way of claim verification and surveillance, something that we haven't done in the past, but we are going to do very actively now. It is absolutely essential that we begin doing this. Instant alternative duty, it is a program I hope we can announce very shortly, it is simply designed to bring people back immediately, don't get anyone used to staying home watching the soaps, or whatever. Find jobs for them so that within two days they are back to work even while they are still undergoing medical review. Back injuries, sprains and strains, this is clearly the biggest type of injury that we have. It is almost the most difficult injury, both in determining whether it is real or not and in rehabilitating. There has been amazing progress made by companies that have developed very sophisticated computerized system that not only help in the rehabilitation, but will clearly indicate and will clearly show with print outs and charts and graphs who is trying to be rehabilitated and who is not. We are going to make a big push on this so that those types of injuries we get either the rehabilitation and/or we make it clear that those people that aren't trying, that we are going to take those to the state referees.

Finally, what we are beginning to see, and I guess I am seeing it more than others, is that the general public and other employees are calling on a regular basis, and basically they are tired of it, they are giving me names, I haven't even asked for this, but I would say on a weekly basis I get a call, so and so is really not injured and they know darn well. What we are going to do is we are going to investigate, just go after that in a much harder fashion than we have ever done before.

Finally, in the area of claims



processing improvements — let me skip that for one minute. We will come back to that. Let's talk about the increased litigation efforts.

Taking all of these cases to the state referees is going to increase our costs in terms of litigation and legal fees. We know that right now. We don't, quite frankly, know what that cost is. Dan Pellegrini is working on that right now, and we may need prior to Monday to come back to you to increase the amount that is in there, because the \$600,000.00 does not include any increased litigation efforts. He is working on that, and I hope by Friday we'll have that resolved. I apologize that that is not resolved at this point.

The last item is claims processing improvements. What I am trying to do with the proposed changes — which we are asking you to hold a week to see if we can work out a reasonable arrangement — is that what we currently have now is simply a terribly inefficient way of doing things. We are going to propose a streamline system, but I would rather hold that and discuss that a week from now after we have sat down with the Controller's Office.

Finally, I want to emphasize that in this process we went through a very extensive process, a long process. The RFP that was sent out this year, by everyone's admission, was infinitely more detailed and much better than anything we have ever done before. We are learning, too, we are learning what it takes in order to run a program. We had 25 RFP's sent out by firms that asked us to do that, we received 14 proposals. From that, we went through a preliminary review and we ended up focusing on five firms. We had a selection committee which included me, the City Solicitor, the City Budget Director, the City Personnel Director,

and Betty Goldberg, the only one who gets mentioned by name, who is the former in-house administrator of the workers' comp program. In addition, we had three support staff, the assistant director of benefits, the assistant benefits coordinator and the safety inspections manager. This committee focused on five firms. We went through an intensive review of their process, multiple meetings, reference checks, Dunn and Bradstreet Reports, site visitations, etc. We have now arrived at a final decision. This is as professional a review selection process as we have ever had. And the other point I want to emphasize is that once the firm is announced, we are going to hold their feet to the fire. We are doing two things that have not been done before. No. 1 is that we will have an annual performance review, and No. 2, and perhaps more importantly, at my discretion I can hold up payments on a monthly basis if we are simply not satisfied with the work that we are getting.

What I have tried to do here is, I guess, very briefly and quickly, run through the efforts, the problems that we faced in worker's compensation, the efforts that we are trying to make. This piece of legislation to permit me to bring an administrator on is as important a piece of legislation financially as we have had in a long time. The only thing I can emphasize is we have made this as professional a selection process as we could.

**Michelle Madoff:**

Mr. Turner, I don't think anyone has worked closer with you from this council on this legislation than I have. As a matter of fact, I have a letter that I want to thank you for that was most gracious, thanking me for my input. It seems to me that in a sense — I don't want to take credit, because I think the

job you have done is phenomenal, you are to be absolutely congratulated. But I think the trigger mechanism of this all began when we had a small agenda and I saw the million dollar transfer to workmen's comp and pointed out that we had gone from 40 million, and asked Mr. Woods, as a matter of fact, to graciously arrange for us to have someone to brief us that following Wednesday. I had no idea what can of worms I was opening up. Everyone came, yourself, Mr. Scortino and Mr. Jacoby with papers yeah high, and for the first the sacred cow was addressed. I think that leads to several of my questions that are still not -- as you know, I am very supportive, so my questions are not in any way to diminish what you are doing, but there are some concerns that I have that you might be able to answer very quickly.

I believe I was the trigger mechanism for this, and I would like to have the administration pull the statements that I made, which are practically identical to the ones you have made today and to have them entered in the permanent record on Monday so they will be side by side with your records to say that I am not just saying, "Isn't this wonderful?" But, indeed, that is fact.

Now, my initial question, what was the -- let me say I was the trigger mechanism. And I think you have done a phenomenal job. Why didn't the previous Administration do anything about this? What took us so long to get to this point.

(END OF REMARKS)

**Mr. Wagner:**

Mr. President and members of Council, first of all I would like my comments brought forward from last Wednesday's meeting and discussion on these three bills.

Furthermore, I'd like to urge Council to support the legislation, all three bills, particularly Bill No. 1112. I believe the reason why Mr. Coyne wants to oppose it or hold it, is the fact that he wants to know what company is to be picked. As of last week I can tell you the Mayor did not know which company has been picked, and I hope as of today the Mayor does not know what company has been picked. I said last week, I'll say it again the problem has been traditionally with this issue there has been too much politics involved in the issue.

Professionalism has to be the predominant factor here, and professionalism does not necessarily involve politicians knowing or having input as to what companies are picked or what company is picked. It involves getting to the Workers' Compensation safety programs, reducing the number of accidents that occur in the City, getting people back to work that are off, and to reduce the dollar losses which the taxpayers are paying. That's the issue, the issue is not which company is picked. What I want is I want Director Turner and the pressure has been put on Director Turner to pick the most professional company. I don't care what company that is. It can be any of the 22 companies that submitted bids on this contract.

Now, can Council do anything if its not a company that does a good job; yes. These dollars come up in the budget every year at the end of the year for the following year. If any member of this Council does not like the job that the company is doing you can make a motion to exclude those dollars in 1989's budget for that company. Not only that, but the Administration is part of this new contract for which ever company gets the contract has the option to cancel the contract in the event the company does

not meet up to the obligations of the contract.

So, we are not voting in the blind here. Whatever company gets the contract, that company will be held to doing a professional job. I personally do not want to know who the company is. I want to be the best company available that's out there. I want them to attack the Workers' Compensation problem along with all of us, along with all 5,300 employees, management and union, reduce the dollar losses that occur, so that we can hire more people to do the job that needs to be done in all departments in City government.

So, based on that I urge all of you to vote for this legislation.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MR. WAGNER'S REMARKS ON BILL NOS. 1110, 1111,  
1112 - WEDNESDAY, 7/20/88)

Mr. Wagner:

I'd like the floor and I'd like to ask the Director a few questions. First of all, I believe it's the intent of Council here to hold those two bills and to encourage the Administration and the Controller to get together and to talk about the trust fund legislation, Bill Nos. 1113 and 1114, and have those come back up in front of Council next week. I also think it's the intent here to move on the other three bills, Bill Nos. 1110, 1111 and 1112.

Prior to doing that, I simply want to state that the meat of this legislation is probably Bill No. 1112 which is the \$600,000.00 on that one bill. This bill is much more than \$600,000.00.

As Director Turner has indicated, our losses now are somewhere in the range of \$17.5 million a year. Unfortunately, I don't think in the past, and I'm not saying just recent past, I mean past--period, within city government, it has been a predominant issue and I personally think that if there's any issue that cannot involve politics in city government it has to be this issue because it's not \$600,000.00, it's not \$18 million; it's more like \$60 million plus the \$600,000.00 plus the \$18 million. We're talking about big numbers here, real big numbers that will impact this city going beyond the Year 2000.

This program is a critical program. Too much in the past we have not devoted attention to it and there has not been the professionalism devoted towards Workmen's Compensation and there's been too much politics involved within the political structure.

For people to be off too long or permanently that should not have been off, and I can go back to the recent past and the changeover in the Public Safety Department with the previous Director. There were people that went off on permanent Workmen's Compensation that should never have been off on permanent Workmen's Compensation. We are paying for that today due to the lack of professionalism. Nothing needs professionalism more than this issue in city government and I believe Director Turner has done an exceptionable job here to begin to build a foundation and we must have a foundation. Nothing significant really has happened yet. We have signs that good things are happening but nothing significantly has happened to impact those big numbers. Hopefully we can stabilize those numbers. If there's any goal, I think that obviously is the goal and Director, I know you

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mentioned that to me yesterday. We need to stabilize those numbers. The only way we can do it is to take politics out of who is off on Workmen's Compensation, who isn't off, how long they're off, and to inject professionalism into city government, into all aspects of city government.

My original legislation for charge-back program was part of hoping that directors and everyone becomes involved in the safety or loss control program. All 5300 employees in the City of Pittsburgh are responsible, are directly responsible, for loss control or safety activities. Everyone must be involved in this program, not just the elected officials, not just the directors of departments, everyone must be involved. This \$18 million severely impacts our ability to put police officers on the street because we're paying people that are off on Workmen's Compensation. This severely impacts putting people in parks to do maintenance work, in Public Works, and in each and every department in city government. We must take the bull by the horns on this issue and when I say "we" I don't mean just this Council, I mean everyone in this room, I mean everyone, all 5300 employees in city government. We cannot have people off that shouldn't be off. We should be trying to get people back through rehabilitation, whether it's on modified duty programs or whatever it may be.

One item that Director Turner did not refer to--it's very important to do that psychologically for employees. To be off with an injury and to know that you are going to remain off for one year or two years or maybe permanently can have a severe psychological impact on that individual's life and their family life and in the meantime we have lost an employee in a particular department.

So, initiating a charge-back program must be done. I want to see some things happen that have not happened to date. Initially they happened a couple years ago such as the safety committee meetings of which there hasn't been a meeting for two years and I know Director, you've committed that that will begin to occur as soon as there is an administrator assigned to the program, incentive programs which you referred to here and I understand there is some discussion with a particular union to negotiate an incentive program and I'd just like to elaborate on that for one second.

In private industry, incentive programs in safety and loss control are very common. We don't have them in city government and we have to adopt some of the things that those people are doing quite effectively. Let's just say for instance a particular department has in the last year they had \$1 million in losses in Workmen's Compensation. Well, if next year they can

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reduce that to \$900,000.00, we effectively do two things: we have reduced the number of losses and injuries to employees plus we have reduced the cost to the taxpayer for Workmen's Compensation.

(AT THIS POINT MS. KRIEBEL RESUMED STENOTYPING THE MEETING)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

(END OF REMARKS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

(MR. WAGNER'S CONTINUED REMARKS ON BILL NOS. 1110, 1111, 1112 -  
Wednesday, 7/20/88)

Mr. Wagner:

Let's reward that department for shooting for a goal of which they have achieved. We haven't done that in the past. Let's not just reward the department in general, maybe with miscellaneous dollars in their account so they can do more things from a departmental point of view, let's give each employee \$100.00 at the end of the year, because everyone in the department contributed to that activity. That goes on it private industry. We can initiate those types of incentive programs I believe here in city government.

But the responsibility begins here, begins with the Mayor, begins with Director Turner, Director Cannon, and all the other directors, and it must go down through all the employees in city government.

I, for one, am going to stay on top of this. I know Director Turner has made a commitment with his staff and Director Cannon has said he has also, and we must initiate these types of meetings that are necessary and get this program into a professional mode and not an unprofessional or political mode like it has been in the past. I agree with you, I don't want to know who the selection is for the administrator. I want a professional decision, I want it without me knowing, without any elected official knowing. I think in doing that, it will be the most professional decision that is possible. We are putting a real weight on your shoulder here to make that decision. However, I have the confidence that you can make a decision here that should be made. And we want you, I want you, to run with the program, and I want you to know and I want the Administration to know that I will support you, I believe this Council in total will support you, and we must support you because there is no other option. We have no other option. The losses are too great, the suffering is too great, the loss control programs have to become more effective within the various departments.

And just prior to ending, I want to say there is one other big issue, I have always said it and I always will. When it comes to hiring procedures within city government, we need to become more and more sophisticated when it comes to hiring personnel. If you hire people that have a bad back the day they are employed, are they going to have a back injury? Probably yes. So let's not hire them for a position in which they must lift things. If we are going to hire them, let's hire them for a clerical position or something along those lines. We have to become more sophisticated in that area.

I support this legislation, and I am hoping, Director, that the Administration keeps Council intimately involved in the program as it goes on.

(End of remarks)

(Transcribed by Helen L. Kriebel)

**Mr. DePasquale:**

I just want to say we've strayed rather far from our field, and I think its time now to vote on the bills.

**The Chair:**

Okay, on the bill.

**Michelle Madoff:**

I have a comment on the bill.

**The Chair:**

On the bill.

**Michelle Madoff:**

On the bill. In the past there has not been very effective, if I may borrow a phrase from Mr. Wagner, checks and balances by the Administration on the administration of the Workers' Compensation program. We need to see that whoever gets this contract keeps their feet to the fire, and I understand that there's been a provision put in for removing, rescinding the contract at any time, and I think that as was stated by Mr. Wagner, I don't care who gets the contract, because if they don't do a good job, I'm going to be the first one you're going to hear screaming, and you'll hear me in Chicago, and we're going to see that whoever gets it does the proper job. It is inappropriate and illegal unless we change the system for this Council to choose who the contractor would be, and subsequently the minute we vote on favor of that, it's going to be the wish of this Council, we're going to find out who it is, and I'm dying of curiosity.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Pollock      |
| Mr. Lyons       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6                      NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1158

Report of the Committee on Planning, Housing and Development for July 20, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1069

A Resolution entitled, "Resolution amending Resolution No. 525, approved July 12, 1988, entitled: 'Providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide Food Distribution and Services Program' at a cost not to exceed \$46,414.42,' by adding an additional \$53,585.58." (AS AMENDED IN COMMITTEE)



Which was read.

**Mr. Ferlo:**

Mr. Chairman, there's a problem with Bill 1069 and I don't want to hold up this legislation, because the whole point of it is to try to get some money to the agency for the food pantries around the City. But, as of this morning and it's now been over three weeks, there's not money in this specific code account for the \$53,585.58, and the sum of money that I believe they're waiting for has to do with a reimbursement from the federal government that they're waiting on in order to put money in that code account, and that could be like waiting for Godot, waiting forever of something that's never going to come.

In that respect, I would make a motion to recommit this bill because in effect what we've done by not having money in the code account for the \$53,585.58 the Controller's Office cannot in effect honor the \$46,414.42.

So, in passing this legislation today we basically created a dormant account that will not be able to be drawn down from as far as getting money to the agency, and I'd like to hear from the Administration on Wednesday what their intentions are. If they're waiting for many months for the federal government to reimburse this City Planning code account I don't think that's a good way to put money into that CDBG Reimbursement Trust Fund. There are other ways for the Administration to come up with their share.

I don't know if somebody is trying to embarrass our Mayor, who has made a commitment for the \$100,000 or what. But, there's not money in this code account and it's a very awkward thing for this Council, and in fact, I don't think this Council's ever voted for legislation

where the money was not in the account. Maybe we have, I've never been a party to that.

So, I'd like to recommit it just to hear on Wednesday.

**Mr. Lyons:**

On the bill, this has all been -- Mr. Ferlo is right but I've gone to the Administration and with Mr. Hughes, Miss Rabinowitz. They're perfectly satisfied in passing the bill, because we've all been promised that the money will be in place in the four or five weeks. Probably, three or four weeks now and they want the bill passed, and I see no reason why we should hold it up, and it's certainly been approved by the Administration that there would be no embarrassment, and the people that are concerned here with the hunger are perfectly satisfied. We met last week and discussed all parts of this bill that the money wasn't there, they want the bill passed, and they're perfectly satisfied as it is, and the Administration has promised us all, and I have no reasons to doubt them, that the money will be in place by the time they need it.

**Mr. Ferlo:**

Mr. Chairman, in response the time to need is now. We are acting on legislation here. The Administration has made the commitment for \$100,000, but they haven't taken the action to put money in the account. So, this is again another empty plate. I'd like to hear on a Wednesday meeting, that's why I'm making a motion to recommit it to see exactly what their intentions are. If they're waiting for this federal government check to come in in response to some money that the federal government owes City Planning for some helicopter study that was done I think maybe last year. It could be many

months. It's not a good way if they're sincere about supporting the legislation. I would suggest that they put a different code account in there so that the money is in hand, right now, and can be used during the summer months. Otherwise this is a multi-month activity here. It doesn't make any sense.

**The Chair:**

Didn't you say that — I don't have it. There's \$46,000 or something in there right now?

**Mr. Lyons:**

The \$46,000 —

**The Chair:**

Right, and then they can draw down on it. Why don't we do this, pass the legislation, if its not there the other \$53,000 in the four weeks that Mr. Lyons is referring to you can always amend this legislation, bring it back, amend it and get the \$53,000 from some other code account.

**Mr. Ferlo:**

So long as we clear that in passing this we're also holding up the \$46,000, because the Controller's Office when its amended and bound together with the other money the \$46,000, they cannot in fact, draw down on the \$46,000, because we've amended the legislation. So, we're hanging this up now for another month. If we do pass it now the \$46,000 that we previously voted on, if we amend this and include the \$53,000 we can't draw down on the \$46,000, because we've created a new piece of legislation, and it would be basically held up until such time that there's money in the code account. Maybe there's the assurance but —

**Mr. Lyons:**

Mr. Chairman, I differ here because the people who are going to administer it are well satisfied. Mr. Hughes and —

**Mr. Ferlo:**

That's not the issue, Mr. Lyons.

**Mr. Lyons:**

No, but they want it to go. They want it this way. This is the way they want it, and no one has been deceived. The money wasn't there but they want it to go through as it is, and they're the one's that's going to administer it, and is satisfied with it, I don't see why we should hold it up.

**Mr. DePasquale:**

I just want to say, I don't like to disagree with the Chairman of that committee, but I think what Mr. Ferlo is saying makes a lot of sense, and I think we should at least go one more week on the recommittal.

**Mr. Coyne:**

Mr. President, I'd just like to agree with Councilman Ferlo also is that the Controller's Office can't draw down on its money once we create this new legislation.

**The Chair:**

Okay, there's been a motion to recommit. Is there a second?

**Mr. Coyne** seconded the motion.

**The Chair:**

All in favor of recommittal, roll call vote.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      |                 |

AYES 5                      NOES 2

(MR. LYONS AND MR. WOODS-PRES'T PRO TEM VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 1101

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Public School District and/or other private for profit and non-profit entities to provide City of Pittsburgh JTPA or CDBG eligible youth with employment opportunities, work experience, labor market orientation, on-the-job training and/or classroom training in connection with the Pittsburgh Partnership Employment Program III and providing for the payment of the costs thereof,"

Which was read.

Also,

**Bill No. 1102**

A Resolution entitled, "Resolution amending Resolution No. 448, effective June 16, 1988, entitled: 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program', so as to decrease a line item (UR-88-18) 'Neighborhood Economic Development Investment Fund' from \$300,000.00 to \$100,000.00 and create a line item 'Pittsburgh Partnership Employment Program', Department of Personnel and Civil Service (+\$200,000.00)."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

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#### MOTIONS AND RESOLUTIONS

**Mr. DePasquale** moved to approve the Minutes of Monday, July 11, 1988.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, August 1, 1988

No. 31

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, August 1, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presented

No. 1165 Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$159,617.20 in partial payment of an

Emergency Contract for the Reconstruction of the Windom Street Wall; and providing for the payment thereof, charging the same to Code Account EC88-24, Index Code #305219.

Also,

No. 1166 Resolution providing for the issuance of a warrant in favor of Davis Marine Surveyors, Inc. in the amount of \$425.00 for Consultation on the River Safety Dock Facility; and providing for the payment thereof. Charging the same to Code Account LB 84-02.

Which were read and referred to the Committee on Finance.

Also,

No. 1167 Resolution providing for a contract or contracts for the Reconstruction of Grant Street, Phase 4, from Fourth Avenue to Fort Pitt Boulevard including sewer reconstruction, waterline reconstruction, street lighting, necessary work on private property, and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof, chargeable to and payable from the Grant Street Trust Fund, Index Code #252429.

Also,

No. 1168 Resolution providing for

a contract or contracts, or use of existing contracts for lighting at various sites including, but not limited to, West Penn Ballfield; and providing for the payment of the cost thereof at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account EC 88-49, Index Code #323352.

Also,

No. 1169 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the Design Services in connection with the Rehabilitation of the Shadeland Avenue Bridge; and providing for the payment of the cost thereof chargeable to and payable from Code Account PW 84-13, 4-13-05-0465-84, Index Code #306308 (\$150,000.00).

Also,

No. 1170 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Reconstruction of the South Highland Avenue Bridge; and providing for the payment of the cost thereof at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC88-13, Index Code #353201.

Also,

No. 1171 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the In-Depth Inspection of the Corliss Tunnel; and providing for the payment of the cost thereof, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC88-07, Index Code #306043.

Also,

No. 1172 Resolution further

amending Resolution No. 1269, effective November 6, 1978, as amended entitled, "A Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the total project allocation by \$318,000.00 from \$1,655,200.00 to \$1,973,200.00.

Also,

No. 1173 Resolution providing for a Cooperation Agreement or Agreements with the South Side Local Development Council for implementation of the design and construction of the Birmingham Plaza at 12th and Carson Street; and providing for the payment of the costs thereof. Chargeable to and payable from Code Account CDEC 88-42. At a cost not to exceed \$75,000.00.

Also,

No. 1174 Resolution providing for a contract or contracts, or use of existing contracts, for Street Tree Planting in Various Neighborhoods and Business Districts, and the Landscaping of the Martin Luther King Reading Room; and providing for the payment of the costs thereof; chargeable to and payable from the following Code Accounts: EC 88-52 - \$50,000.00; CDEC 88-46 - \$50,000.00; CDEC 88-45 - \$10,000.00. At a cost not to exceed \$110,000.00.

Also,

No. 1175 Resolution providing for

a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the Melancthon Street Pedestrian Bridge; and providing for the payment of the costs thereof chargeable to and payable from the following Code Accounts: CDEC 84-11 - \$48,000.00, Index Code #432682; CDEC 87-06 - \$52,000.00, Index Code #432666; Total - \$100,000.00.

Also,

No. 1176 Resolution amending Resolution No. 1057, effective December 22, 1987, entitled, "Providing for a Contract or Contracts for the Rehabilitation of the Ohio River Boulevard Bridge over Eckert Street and the Ohio River Boulevard Bridge over Verner Avenue," by increasing the total project allocation by \$615,000.00 from \$3,585,000.00 to \$4,200,000.00, chargeable to and payable from the following Code Accounts: EC 87-55 - Index Code #306365 - \$3,585,000.00; EC 88-73 - Index Code #306373 - \$615,000.00; Total - \$4,200,000.00.

Also,

No. 1177 Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled, "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by creating two (2) new line items (EC 88-72 and EC 88-73) and by adjusting the Summary Totals.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1178 Resolution providing for

the issuance of a warrant in favor of PSP America, 801 N. Rice Mine Road, Tuscaloosa, Alabama 35406, in the amount of \$6,000.00 in payment for the purchase of (2) two canine dogs and providing for the payment thereof chargeable to and payable from Code Account (CNPTF), Index Code (250761), from Code Account (CNPTF), Index Code (250761), Bureau of Police, Department of Public Safety.

Also,

No. 1179 Resolution transferring the sum of fifty thousand dollars (\$50,000.00) from Code Account (1400), Index Code (140004), Salaries & Wages and seventy-five thousand dollars (\$75,000.00) from Code Account (1402), Index Code (140202), Uniforms & Equipment, Bureau of Administration, to Code Account (1400-1), Index Code (140012), Premium Pay, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Administration Premium Pay for the remainder of 1988.

Which were read and referred to the Committee on Finance.

Also,

No. 1180 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof. (\$450,000.00 payable from CD 4-27-10-0005-88-13-88-27, Index Code 480244).

Also,

No. 1181 Communication from Louis DiNardo, Deputy Director, Department of Public Safety, requesting authorization for Norman Auvil, Frank Henry and John Kerestes to attend a

hazardous materials training course entitled, "Hazardous Materials Incident Response Operations" in Cincinnati, Ohio from September 11-16, 1988, at a cost not to exceed \$1,995.00 payable from Code Account PSTA. Permission is also requested to use a City vehicle.

Also,

No. 1182 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Theresa Rocco to attend the "Role Model Program" in Mars, Pennsylvania on July 22, 1988, at no cost to the City. Prior approval granted. Permission is also requested for use of a City vehicle.

Also,

No. 1183 Communication from Louis DiNardo, Acting Deputy Director, Department of Public Safety, requesting authorization for Regina Recker and Vivian Woods to attend a Records Management Course offered by Robert Morris College for 15 weeks beginning August 31, 1988, at a cost not to exceed \$1,000.00, payable from Code Account 1476, Miscellaneous Services.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1184 Resolution providing for the transfer of \$60,000.00 from Code Account 1545, Street Lighting, Index Code 154500, to Code Account 1610, Miscellaneous Services, Index Code 161000, both accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

**Mr. Ferlo** moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Lyons presented**

No. 1185 Resolution amending Resolution No. 269, approved March 23, 1987, entitled, "Providing for the implementation of a Residential Permit Parking Program in portions of the Squirrel Hill - CMU community pursuant to the Pittsburgh Code, Chapter 549", so as to amend the streets included in Area K.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 1186 Resolution amending Resolution No. 385, effective June 6, 1988, entitled, "Providing for the issuance of a warrant in favor of Pioneer Supply Company, Inc., to cover the costs of materials for manufacturing and installing neighborhood street signs" by changing the account year and index number from which this warrant should be paid.

Also,



No. 1187 Resolution amending Resolution No. 357, effective May 31, 1988, entitled, "Providing for the issuance of a warrant in favor of A & H Equipment Company to cover the cost of materials for manufacturing and installing neighborhood street signs", by changing the account year and index number from which this warrant should be paid.

Also,

No. 1188 Resolution amending Resolution No. 384, effective June 6, 1988, entitled, "Providing for the issuance of a warrant in favor of 3M Corporation to cover the cost of materials used for the City's neighborhood street sign test program" by changing the account year and index number from which this warrant should be paid.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1189 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984, by Resolution No. 101 and by Resolution No. 201 of 1986, entitled, "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program", by changing the title of a line item in the Department of Housing.

Also,

No. 1190 Resolution amending Resolution No. 675 of 1986, effective July 1, 1986, entitled: "Providing for an agreement or agreements with a consultant or consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program."

Also,

No. 1191 Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981, and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212 and 1012 of 1983, and by Resolution No. 151 of 1984, and by Resolution No. 115 of 1988, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing Urban Development for a grant in connection with the 1981 CDBG Program" so as to change the title of a line item in the Department of Housing.

Also,

No. 1192 Resolution authorizing the Mayor and the Director of City Planning to enter into Agreements with consultants, for the purpose of conducting planning and management studies, at a cost not to exceed Two Hundred Eighty Thousand Dollars (\$280,000.00).

Also,

No. 1193 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen

Participation Process and providing for the payment of the cost thereof.

Also,

No. 1194 Resolution amending Resolution No. 659, effective August 1, 1987, entitled, "Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof"; so as to increase the amount encumbered from \$422,000 to \$547,000.

Also,

No. 1195 Resolution amending Resolution No. 748, effective August 1, 1986, entitled, "Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof."

Also,

No. 1196 Resolution amending Resolution No. 629, effective July 17, 1985, as amended by Resolution No. 572, effective July 10, 1986, entitled, "Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof".

Also,

No. 1197 Resolution amending Resolution No. 550, effective July 20, 1988, entitled, "Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for professional services in an amount not to exceed \$20,000.00" so as to provide for the "Repair or Replacement of Sidewalks" in the Spring Garden Neighborhood.

Also,

No. 1198 Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 517 and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980; and by Resolution No. 1203 of 1981; and by Resolution Nos. 393 and 1013 of 1983 entitled, "Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program", so as to change a line item title in the previously existing Housing Department (from Neighborhood Development Office" to "Neighborhood District Office - Hlp Subsidized Loans").

Also,

No. 1199 Resolution approving the sale of Parcel 161 (1213 Liverpool Street) in the 21st Ward of the City of Pittsburgh by and between URA and Manchester Citizens Corporation for \$1,000.00 — Redevelopment Area No. 27.

Also,

No. 1200 Resolution authorizing the URA to acquire that property in the 25th Ward owned by Raymond A. Henke and designated as Block 22G, Lot 198 in the Deed Registry Office, under the Residential Land Reserve Fund.

Also,

No. 1201 Resolution approving execution of Contracts by and between URA and various Redevelopers for the sale of properties in the 26th and 25th Wards — Residential Land Reserve Fund - VPRC.

Also,

No. 1202 Resolution providing for

the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1988-1989 Community Development Block Grant Program; and providing for the payment of the costs thereof.

Also,

No. 1203 Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Parkway Center Urban Development Action Grant Project.

Also,

No. 1204 Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Station Square Urban Development Action Grant Project.

Also,

No. 1205 Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the North Side Urban Development Action Grant Project.

Also,

No. 1206 Resolution providing for a Fifth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1976 Community Development Block Grant Program.

Also,

No. 1207 Resolution amending Resolution No. 435, effective May 8, 1981, entitled, "Providing for the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program, and providing for the payment of the cost thereof" to change the title of a line item.

Also,

No. 1208 Resolution further amending Resolution 472, effective May 29, 1979, as amended by Resolution 649, effective July 20, 1979, as amended by Resolution 973, effective November 7, 1979, as amended by Resolution 287, effective April 18, 1980, as amended by Resolution 1129, effective November 7, 1980, by changing the title of a certain line item.

Also,

No. 1209 Resolution further amending Resolution 313, effective April 25, 1980, as amended by Resolution 822, effective August 25, 1980, as amended by Resolution 1130, effective November 7, 1980, as amended by Resolution 760, effective August 10, 1981, by changing the title of a certain line item.

Also,

No. 1210 Resolution authorizing the URA to acquire that property in the 26th Ward owned by Albert M. McDonald and designated as Block 46J, Lot 264 in the Deed Registry Office, under the Residential Land Reserve Fund.

Also,

No. 1211 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Jane Downing to participate in Leadership Pittsburgh Year 5, 1988-89, at a cost not to exceed \$1,500.00, payable from Code Account 1103, Miscellaneous Services.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 1212 Resolution providing for the transfer of funds totalling One Hundred and Sixty Six Thousand (\$166,000.00) Dollars from various Code Accounts to various Code Accounts, Department of General Services.

Which was read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1213 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of City Council. —(SPONSORED BY MR. WAGNER)

Also,

No. 1214 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for a vacancy in the Office of the Mayor. —(SPONSORED BY MR. WAGNER)

Also,

No. 1215 Resolution amending

Resolution No. 191, effective April 7, 1988, entitled, "Providing for the issuance of warrants in the aggregate amount not to exceed \$22,000.00 in favor of persons who provide professional proctoring and coordinating services for the Department of Personnel and Civil Service Commission's 1988 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission and providing for the payments thereof," by increasing the amount of Resolution No. 191. Total amount is not to exceed \$24,000.00. This increase from \$22,000.00 to \$24,000.00 is due to a larger number of proctors needed to administer examinations than anticipated.

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

Also,

No. 1216 Resolution providing for the issuance of a \$1,643.22 warrant in favor of Thomas Blow in settlement of claim for vehicle damage by City fire vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1217 Resolution providing for the issuance of a \$4,484.41 warrant in favor of The Salvation Army in settlement of claim for expenses incurred due to a backup of sewage into

claimant's property, charging same to Code Account No. 46, Index Code 004606 Judgments.

Also,

No. 1218 Resolution amending Resolution No. 314, Item C, effective April 29, 1988, which authorized sale of property in the 13th Ward, 231-P-12 to Theodora L. Walker, to correct location.

Also,

No. 1219 Resolution amending Resolution No. 314, Item B, effective April 29, 1988, which authorized sale of property at 630 Seagirt Street, 13th Ward, 231-A-357, to James C. Jones, to correct lot size.

Also,

No. 1220 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1221 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for John Gabriel to attend the 1988 HUD, Region III Directors' and Commissioners' Conference in Charleston, West Virginia from August 28-31, 1988 at a cost not to exceed \$600.00 payable from the HUD/FHP Trust Fund.

Also,

No. 1222 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting authorization for Barbara King and Mina Gerall to observe the San Francisco

Conservation Corps, East Bay Consortium Conservation Corps, in San Francisco, California and Los Angeles, California from August 14-19, 1988 at a cost not to exceed \$3,579.00 payable from the JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Woods presented

No. 1223 Resolution authorizing the issuance of a warrant in favor of Chujko Brothers Inc. in the amount of \$1,718.50, for equipment rental services furnished for the benefit of the City without prior authority of law; and providing for the payment thereof; chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, in the Department of Parks and Recreation.

Also,

No. 1224 Resolution authorizing the issuance of a warrant in favor of Geyer Printing in the amount of \$19,950.00, for printing services furnished for the benefit of the City without prior authority of law; and providing for the payment thereof; chargeable to and payable from SPPTF (254359), in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 1225 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Charles Tague to attend the Biennial Conference of the International Association of Zoo Educators in Toronto, Ontario from October 2-7, 1988, at a cost not to

exceed \$1,000.00 payable from the Aviary Trust Fund.

Also,

No. 1226 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Dennis Maxim to attend the AAZPA National Conference in Milwaukee, Wisconsin from September 23-30, 1988, at a cost not to exceed \$1,335.00 payable from Code Account 1952, Miscellaneous Services.

Also,

No. 1227 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Charles Wikenhauser to attend the AAZPA National Conference in Milwaukee, Wisconsin from September 24-30, 1988, at a cost not to exceed \$1,210.00 payable from Code Account 1852, Miscellaneous Services.

Also,

No. 1228 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Louise R. Brown, Carl A. Mancuso and Joseph N. Cogley to attend the National Recreation and Park Association's 1988 Congress for Parks and Recreation in Indianapolis, Indiana, from October 5-10, 1988, at a cost not to exceed \$3,294.00 payable from Code Account 1838, Miscellaneous Services.

Also,

No. 1229 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Paul Leger, Theresa DeLuiis, Rosanne Casciato, Helen R. Burek and Marjorie Marks to attend the AAZPA National Conference in

Milwaukee, Wisconsin from September 24-30, 1988 and Paul Leger to attend from September 24 through October 2, 1988, at a cost not to exceed \$5,840.00 payable from Code Account PZMTF.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 1230 Communication from Tom Flaherty, City Controller, submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act", prepared as of December 31, 1987.

Also,

No. 1231 Communication from Tom Flaherty, City Controller, submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act". Prepared as of March 31, 1988.

Also,

No. 1232 Communication from Tom Flaherty, City Controller, submitted net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act". Prepared as of May 31, 1988.

Also,

No. 1233 Communication from Tom Flaherty, City Controller, submitting net debt and remaining debt incurring margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act". Prepared as of June 30, 1988.

Also,

No. 1234 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1988.

Which were severally read, received and filed.

#### UNFINISHED BUSINESS

##### The Chair presents

No. 2030 Resolution that the appointment by the Mayor of Rabbi Richard M.E. Marcovitz of 327 N. Negley Avenue, Pittsburgh, Pennsylvania 15206, be and the same is hereby approved and confirmed as a member of the Commission on Human Relations Board for a term to expire July, 1992.

Which was read.

Also,

No. 2031 Resolution that the appointment by the Mayor of Floyd Titus, 1827 Linton Street, Pittsburgh, Pennsylvania 15219, be and the same is hereby approved and confirmed as a member of the Commission on Human Relations Board for a term to expire July, 1992.

Which was read.

Mr. Lyons moved to approve the appointments.

Mr. Ferlo seconded the motion.

Which motion prevailed.

##### The Chair presents

No. 1235 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 708, entitled, "An Ordinance amending Title 10, Chapter 1013 of the Pittsburgh Code to allow public input into the Building Variance process.

Which was read.

##### (MAYOR'S VETO LETTER)

July 28, 1988

Dear Mr. President Pro tem and Members:

I am returning Council Bill 708 as vetoed.

The Board of Code Review unanimously held that it would not be cost effective to provide for the procedures outlined in the Bill and the Board's operation has been extremely satisfactory.

I concur in that assessment.

Very truly yours,

Sophie Masloff  
Mayor

(END OF LETTER)

Mr. DePasquale moved to override the veto.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Point of Order. May we have a clarification of the intent of the bill, both what was intended by its sponsor and what is —

**Mr. Ferlo:**

Mr. Chairman, I had submitted Bill 708, an ordinance basically amending the Municipal Code to allow for public input process into the Board of Standards and Appeals. I do not view this issue solely as a very narrow trade union issue; I view it as an issue whereby a public body should be held accountable and whereby those in the public, whether they have vested interests or not, should be able to have input into the decisions made by the Board of Standards and Appeals which is responsible, as you know, for granting variances to the Municipal Code.

Very simply, the essence of this legislation is the openness of formal meetings that take place once a month by the Board, as well as publicly notifying through the media as well as letting people know through the mail system, interested parties who may have an interest in various variances that might be granted by the Board.

This legislation, I believe, is cost effective. If there is some small amount of money needed because of the Administrative activities as suggested in the bill, then I believe the application, the permit, can be increased, the fee. And that's something the Administration should consider.

I'm disappointed at our Mayor and the Administration for vetoing this legislation; as well, they did not sign a second bill which became law without signature, and that is putting two members of the building and construction trades on the Board of Code Review. Again, two people out of a vote of 19 people is not a deciding factor; it does allow for public input.

So, I would ask my colleagues to please join me in overriding her Honor on this legislation, Bill 708.

**The Chair:**

I would also urge my colleagues to vote to override the veto. I think that when we discussed it a number of weeks ago at a Wednesday meeting, they admitted that it wouldn't be that much of a burden. They can advertise very freely; they can do it once a month and they only hear about eight to ten cases a month. So, I don't see that it will cost us any more than we are paying right now.

If you are in favor of the bill, vote aye. If you're against, vote no.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

**The Chair presents**

No. 1236 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 849, entitled, "An Ordinance amending the Pittsburgh Code, Title Ten, Building, Article III, Local Regulations, by adding a new subsection to the 1987 BOCA National Building Code which prohibits the use of



plastic pipe, non-metallic tubing for waste, vent, drain, and water supply in all buildings except one and two family dwellings.

Which was read.

**(MAYOR'S VETO LETTER)**

July 25, 1988

Dear Mr. President Pro Tem and Members:

I am returning as vetoed Council Bill 849.

Council Bill 849 supplements the BOCA Code prohibiting the use of plastic pipe for any and all use in all buildings except one and two family dwellings.

I am vetoing the Bill because the City Solicitor has informed me that a ban on plastic pipe as set forth in Bill 849 is illegal because the City has no jurisdiction over materials used in plumbing and, even if it did, such a ban has already been struck down by the Courts.

Pursuant to Section 2219 of the Local Health Administration Law, 16 P.S. §12001 et seq., the sole authority for determining the suitability of plumbing materials is vested in the Allegheny County Health Department's Plumbing Board. Because the City has no jurisdiction over materials used in plumbing fixtures, Council has no jurisdiction to enact legislation dealing with plumbing materials.

Not only is the Bill illegal for that reason, it is illegal because, when the County Plumbing Board attempted such a ban, the Court declared such a ban to be illegal. In Home Builders Assn. of Pgh. v. Allegheny County Plumbing Board, 12 P.L.J. 344, the Court declared such a ban

illegal because it found that such a ban had no rational relationship to advancing any public safety concern.

I am also vetoing this Bill because it would have an adverse impact upon both jobs and the availability of affordable housing to the people of Pittsburgh. The unnecessary increase in construction costs due to the outlawing of plastic pipe would mean that the cost of commercial and industrial construction would escalate. Since adjoining municipalities do not have similar restrictions, construction would shift to areas outside the City or projects that were location specific would be lost altogether. Construction and the permanent jobs of those who would work in those facilities would not be moved elsewhere.

While this Bill does not outlaw plastic pipe in one and two family dwellings, it does prohibit its use in multi-family construction. Both the construction and maintenance costs for housing for the elderly, Section 8 and public, as well as apartments, condominiums and other multi-family dwellings, would be greatly increased. This would make some projects unfeasible, and certainly such a ban would increase building and maintenance costs. These increased costs would be passed onto the residents, who, in some instances, are those who can least afford it.

Accordingly, I return Council Bill 849 as vetoed.

Very truly yours,

Sophie Masloff  
Mayor

**(END OF LETTER)**

Mr. Coyne moved to override the veto.

Mr. Ferlo seconded the motion.

**Michelle Madoff:**

Discussion. It is unfortunate that the members of the media, the owners of newspapers, the editors of newspapers, the people who run our television stations, were not present at a show and tell, some may refer to it as a dog and pony show, down at the Union Hall. I went to the showing with an open mind but with some great concern because I had supported Mr. Woods in his attempt to make our building safer. What we witnessed was a display of conduit through plastic pipe carrying electrical wiring. And what they did, if my memory serves me well and anybody else who was there can correct me, is to put a molly screw through, as if you were going to hang a picture. And what that did was break the connection and then they had electrical current put through that same wire and it smoldered, it smoldered in the wall, and it smoldered within plastic. And everybody with half a brain knows that plastic is a toxic product that is highly dangerous to human beings. Unfortunately, it also burns slowly, it burns in the wall, and the papers today have quoted someone as saying there's no reason to eliminate the plastic pipe; there was no reason for it because it only burns for a very short period time; 15 minutes. Well, 15 minutes is not a short period of time if you're on vacation; 15 minutes is not a short time if there's a child sleeping and a babysitter watching television in another room. And it would seem to me that we should air on the side of safety, not air on the side of well, it will cost us a little bit too much. Chicago has managed to survive using metal pipe.

My vote - and I can only speak for myself, I cannot speak for anyone else - is a vote in support of unions. To my knowledge I think I have been supported

in ten years one time by unions. I'm voting simply because I saw with my own eyes a bolt, a molly screw put through plastic. I saw what was created; I saw the short circuit, and I saw the sparks causing fires.

If anybody in this room or any member of the media would like to take that kind of risk for their families - I think not. And my vote will be to override.

**Mr. Ferlo:**

Mr. Chairman, not being on the previous Council where this bill was also debated, and I think there was also a public hearing, I want to make it clear that I'm supporting this legislation. I think it's important to override the veto. My main support for this legislation primarily is from the health and safety point of view. Having witnessed the demonstration of the Romex wiring and other wiring burning at a local union hall, the IBEW, it was very clear to me that the toxicity, the fumes that emanate out of this type of conduit is a major problem.

So, I want to make it clear in support of this legislation that I view it fundamentally as a health and safety issue involving people, whether they be workers who work in large buildings or people who frequent these large buildings primarily in the Downtown area who at some point, God forbid, may be confronted with a major fire. I think the toxicity issue, regardless of the two-hour presence of a fire wall, is something that is a threat to the health and safety and well being of people who supposedly come to work every day hoping that they're getting into an elevator and going upwards to floors that are going to be safe in the event of a fire.

It was less than I'd say ten years

ago that the public health community and all the experts were debating the hazards of asbestos. Ten years ago it was unusual to hear about major problems and the whole effort around the cleaning up of asbestos took a 30-year period. The presence of asbestos and the health problems related to cancer resulting from asbestos was a 30-year effort by the public health community. It's only been recently, however, that the national and local municipal codes have been amended to take into consideration the health and safety hazards of asbestos.

I think in the same way we're at that beginning period now of viewing and perceiving the problems of toxic fumes. I think other cities will join the progressive legislation that we have passed in the City of Pittsburgh. Albeit that if one side effect happens to be the potential likelihood of increased union labor in taking part in the restructuring and the rebuilding of the Renaissance, and if that is a net side effect, what is so terrible about that? Is it so outrageous that there happens to be a side effect of guaranteeing that more people will have jobs and more work will be produced as a result of this ordinance? And my hope is that it will be local union labor. I don't see that as such a terrible thing and I don't see it as something that somebody in the Administration should go out of their way to be opposed to. I would think that that would be a wonderful net side effect to this legislation.

I just want to make it clear that in approving this legislation initially, I was never once contacted by representatives of the plastics industry. There was one comment made by a plastics spokesperson that they had no opportunity to speak. I'm lobbied every day on various issues; there are people here today in the audience lobbying on an issue. My door has always been open.

My phone is available; I'm listed in the phone book. People are always available on Council; I've never seen one Councilmember yet not willing to discuss an issue with anybody, regardless of the issue. So, I think it's important that we override the veto here today.

**Mr. Lyons:**

Mr. Chairman, in researching this bill in the past, it was passed before, a small segment of it. The erstwhile Mayor Caliguiri did not veto it and I cannot understand the advice that our present Mayor is getting when she had voted in favor of this previously. So, my interest is in the safety and the well being of all human beings. I see that my bill, in overriding this, would be for the health, the safety and the well being of the people of the City of Pittsburgh.

**Mr. DePasquale:**

As Public Safety Chairman I dealt with the fire union that I discussed this with quite at length. I'm convinced that plastic pipe is a fire hazard and therefore, on those grounds alone, if nothing else, I'd have to vote to override the veto.

**Mr. Wagner:**

Mr. President and members of Council, I voted for this bill before and I'll vote for it again this time. I have entertained lobbying from both sides. Those who manufacture plastic pipe have been in my office and those that are for the bill have been in my office lobbying for the legislation; plastic pipe people obviously lobbying against it. I have not had one real estate developer lobby me. I have not had one building owner lobby me. And I have asked for any cost analysis between the two various products. I have not received any. Is the one costlier than the other? I suspect

so. However, I realize that there are financial interests on both sides of this issue for the plastic pipe industry and also for the building trades and the steel industry, the steel industry that wants us to stay with the metal product.

So, where do you go on the issue? It's not an easy issue; I know our Mayor has said that. We do not have jurisdiction over plumbing; that jurisdiction comes from the Health Department Plumbing Board of Allegheny County. If that is the case, so be it, and Council will not have jurisdiction over one portion of the legislation and the law will override whatever we do here. But I do know one thing; plastic materials, polyvinyl chloride, and PBCs do cause deaths. That's a proven fact. Whether or not it's from sofas or from piping, I don't really think is the issue. I think the issue is, how do you reduce the potential for loss of life. Do plastic pipes cause one percent of the deaths or do they cause ten percent of the deaths? I don't know; there's no good statistic on that either. But the fact remains that with high-rise buildings that are difficult to exit in the event of fire, the more you can do to reduce the potential of a fire, the greater potential there is to reduce the potential for loss of life.

That is the issue before this Council. I've been lobbied by both sides. When you're lobbied by both sides, you realize that both sides have an interest in the issue and you have to find some other reason to vote for or against the issue. I think the reason why I'm voting for it is the safety part of the issue. Nothing more or nothing less.

**Mr. Pollock:**

The issue of whether to permit plastic pipe is not as simple as one as it's being made out to be. That is why, when

the bill was before this Council several weeks ago, I was forced to abstain. I had only returned to Council two days prior to both the preliminary vote and the final vote which occurred on the same day and I had not had time to study the matter fully.

I have since researched this issue and it is clear which way I must vote. I would like to present the rationale for my vote.

The major argument presented by proponents of the ban is that it will make buildings safer in the event of a fire. These individuals, and some of my colleagues on Council, argue that when the plastic pipe burns, it gives off toxins which are very dangerous.

There are numerous flaws in the proponents' position. First and most importantly, wanting to ban plastic pipe is like talking about what type of rope to use to retrieve the cow once it is already out of the barn. The primary goal of the City, of the Fire Bureau, and of the rest of the Department of Public Safety, and of this City Council, should be preventing fires. In that regard, all parties concerned will stipulate to the fact that sprinklers in buildings are the absolute best measure of protection against building fires. There is no requirement to sprinkle buildings and, unless plastic pipe is permitted, it is unlikely that any new construction project will be able to afford sprinklers.

Insofar as cost, I did research this and I've been informed by independent authorities that plastic piping is approximately one-quarter of the cost of the metal piping.

It should be pointed out that there has never, ever, in the history of fire record keeping, been a single person to die in a fire in a sprinklered building.

And isn't that the ultimate purpose, to save lives? The issue is not how toxic different materials are when they burn. The question is not which is less toxic, plastic pipe or galvanized sheet metal. The issue is, and should be, stopping fires before they begin and suppressing them as quickly as possible once they start.

Every material gives off toxic gases when it burns. The material in carpeting and furniture, even wood and other organic materials all emit toxic gases when they ignite. How can plastic pipe, behind fire proof safety walls, placed where there is no point of ignition, be a safety factor in light of what is found in every room in every building in this nation? It doesn't make sense. In addition, firefighters are required to wear safety masks when fighting fires. There is no doubt that a decision of this issue on the basis of safety must come down on the side of allowing plastic pipe. That is why almost no other city in the country, with the possible exception of one, has banned plastic pipe. That is why the National Fire Protection Association, the Building Officials Code Administrators, almost every fire department, and the National Institute of Building Sciences have all opposed the ban.

It should be pointed out that the National Institute of Building Sciences is an independent advisory group created by Congress which reports to the President of the United States and to Congress. It maintains that plastic pipe is desirable because it will lead to increased sprinklering and that is the ultimate goal. Even the head of the Chicago Firefighters' Union admits that sprinklers are the best fire protection tool and that plastic piping is much cheaper for the sprinklers. Insurance underwriters are in the business of analyzing risks; that's what they do for a living. They're the experts on this issue. They are more

interested in the installation of sprinklers than in banning plastic pipe.

There are other reasons why I must vote the way I will. This ordinance is patently illegal. Court decisions, legal opinions, and a simple awareness of the law will reveal that this Council cannot ban plastic pipe in buildings. The decisions all go against the ban. It is irresponsible for this Council to defy all the authorities and pass an illegal bill when it knows so. Lawsuits will surely result, as well as claims for attorneys' fees and costs, and I believe that these actions will be successful. So, if this Council overrides the Mayor's veto, it will be subjecting the taxpayers to a loss of significant sums of tax dollars. It is totally irresponsible.

In addition, the issue of economic development should be considered. While I do not believe that such factors should come before safety issues, when the safety issue has already been addressed and muted, economic development considerations are indeed relevant. There is no doubt that if Pittsburgh becomes the only municipality in the state, if not the country, exclusive of Chicago, to ban plastic pipe, this will have a profound effect on development and our competitiveness in the market. New construction will be seriously affected. Work by non-profit groups which has been so important to the strength of Renaissance II in the neighborhoods will be greatly diminished, if not curtailed. The neighboring municipalities will reap a bonanza in new construction and development.

We've already done enough for the economic vitality and populations of our surrounding communities as a result of our dastardly wage tax, our oppressive business privilege tax and our regressive amusement tax. Do we have to do any more? Do we have to provide even

further incentive for the location of businesses and development outside the City?

I talked to the chief person entrusted with economic development in the City of Pittsburgh, Dr. Evan Stoddard, the Director of the Economic Development Department of the URA. His quote was as follows: "This ordinance puts this City in a further uncompetitive position. It is difficult enough without introducing such arbitrary rules with no basis in fact."

I spoke to Mark Schneider, one of the true leaders in the City in the non-profit development realm. His quote was: "Given the nature of this City's physical plan, the City should concentrate on getting sprinklers in the older buildings than on banning plastic pipe in new buildings."

I would like to point out something else. Last year's vote on the smoking ordinance is quite relevant in examining what is behind the passage of this ordinance before us today. I mean no individual malice and I cite the previous testimony not to be confrontational or hostile. Indeed, it is not relevant who said this but it is revealing.

Members of this Council opposed the smoking ordinance despite all the evidence stating that passive smoke is dangerous to the non-smoker and they did so because it made the City less competitive to the municipalities around it. So, the smoking ordinance was opposed on the basis of economic development in the face of all the evidence indicating that restriction of passive smoke is necessary from the health standpoint. Yet, a ban prohibiting plastic pipe, even when the safety is, at the very least, unclear and actually quite clear that it is safer to allow plastic pipe, is voted for and all economic

development issues are ignored.

Is there an inconsistency there? On the surface there appears to be, but even the most obtuse observer will recognize that one constant exists in these two votes. That is, the position of the local labor organizations. In the first instance, the local unions opposed the smoking ordinance and so Members of this Council either also opposed it or abstained. In the instant bill, the local unions favor the ban, so it was passed and the veto will probably be overridden. While I welcome the input from organized labor on all issues, I believe there is an undesirable message sent to the rest of the nation, to the country's businesses and industry, that Pittsburgh City government exclusively responds to labor's special interests.

The passage of this illegal, inappropriate and unjustified legislation and an override of the Mayor's veto send a message to the rest of this nation that Pittsburgh is a regressive City. As I have always done, I must vote my conscience, not my personal interests. I must vote on the merits of the issue as I have researched and found them to be, and I must vote to sustain the veto. Thank you.

**Mr. Coyne:**

Mr. Pollock makes some strong statements and some good arguments with his position and I respect him for it. However, we've been given lots of reasons why to vote or not to vote on this bill and I think that the basic reason it comes down to is that we need to vote on it because it's the right thing to do. If it's a step in the right direction, I don't think it's regressive legislation, as Mr. Pollock terms it. I think, really, it's progressive legislation. I believe if we can save one life or if we can add to the safety of our residents or the people who

are using the facilities in the City, it's something that this Council needs to do.

Economic development doesn't seem to be hampered in the past few years with the development of Fifth Avenue and the Fifth Avenue Building, Fifth Avenue Place and the CNG Tower, and I don't think it's something that will be seen as restrictive enough to keep out further development.

I think that the potential does exist for flames developing in a wall, even though Mr. Pollock stated that we can't be sure that there is not a point of ignition in the wall. What happens if there is a point of ignition in the wall and fumes do develop behind that wall and they come out and get someone?

I think the basic thing is that the safety issue, regardless of how hard we have been lobbied by the individual interests, that we need to do what we feel is right and I think voting to override this veto is the right thing to do.

**Michelle Madoff:**

I think if we were to look at the numbers in building a building over three stories, the difference between the plastic pipe and the metal pipe would not be a significant difference in whether the building were built or not built. But I know that when I'm in a building, and there's a building in this town that I thought of moving into and renting and I will not move into that building because I'm afraid after I saw the demonstration of unions who have never supported me, to speak of, but I saw with my own eyes. One picture is worth 1000 words. I wish the media would go and take a picture and watch and see what happens when you see smoldering between the walls and it can go on for hours before it catches fire and you may have a baby in

that room, you may be having trouble breathing if you're asthmatic. It is strictly a matter of being leaders, not followers. In the environmental world, we passed some of the most stringent laws in this area because we had more of the problem than the federal government does. We cannot always be playing catch-up. The cost is not going to be of any significance. Smoldering in the walls is a reality. And I repeat; one picture is worth 1000 words.

I think Mr. Pollock believes what he said but I think he's wrong. I think we have to vote to protect, if it's one life or 20 lives or a building. As was mentioned earlier, the asbestos problem was not faced up to for many years because nobody wanted to remove it and the costs that it would incur. But the costs over the long run are far more in dollars than we would have had if we would have removed the asbestos much earlier.

I think this is a piece of legislation based on what is right for the nation. We're hopefully going to vote to ban the plastic pipe, not because its going to be a boon to the unions but because it's the right thing to do.

**Mr. Wagner:**

Mr. President, I'd just like to put a little more accuracy to some earlier statements by Mr. Pollock. He indicated that there is no point of ignition behind walls. Just about every electrical wire, 100 percent, in all buildings, are behind walls. Electrical wires and overloading electrical circuits is one of the main causes of fires. In addition to electrical wires being behind walls, there are duct systems. Just recently last week, the air conditioning system in the Grant Building caused a smoke fire. Whether or not it was related to the electrical wiring system, I do not know. But all of that is behind wires. There are no extinguishing

systems behind walls. There are ignition sources behind walls. Therefore, when an ignition source begins, and if it's the overcurrent of an electrical wire and it reaches a combustible material which could be plastic, wood or whatever, a fire has begun and the sprinkler system does not even know the fire is going on until it reaches the area of the building where the people are. Will it put it out? Hopefully, yes it will. And I support sprinkler systems and I believe every member of this Council does and I know past Councils have passed legislation for smoke detectors in every building in the City of Pittsburgh, and everyone supports that. The public should be well aware that that is required in every building in the City of Pittsburgh, including residential buildings.

But the point still remains clear that extinguishing systems are not behind walls where ignition sources are. And the potential exists that with metal piping versus plastic piping, whether it be an electrical conduit or plumbing, that there is less potential for hazardous smoke to reach habitable areas of the building.

Historically, in the City of Pittsburgh, all buildings have been built with metal piping in the plumbing and electrical systems. Unless you go back to pre-Depression era, those buildings were built in this town and in suburbia. Will we add an additional burden in the future? The cost will probably be pretty much the same as it has been in the past. Is there an economic advantage as has been indicated? Yes there is, in plastic. And what has to be weighed is the life safety potential versus the economic advantage. That's basically what this issue is.

**Mr. DePasquale:**

I don't mean to elaborate but, as Councilman Coyne brought out, certainly Councilman Pollock made a lot of very good points and had me thinking a little bit here. But I think it all boils down to the bottom line, sprinklers versus a ban on plastic pipes. Until we get a sprinkler system, all we have to go on is the ban on plastic pipes. So, I have to go along with my overriding the veto.

**Michelle Madoff:**

Mr. Chairman, there's a point that I would just like clarified. A statement was made by Mr. Lyons, is it true, and I don't recall, that at the original vote that you introduced a year ago, I thought this was a moot issue. We already passed it; I don't know why we're going through this scene again. Did then Councilwoman Masloff who is now Mayor, vote to support the banning of plastic pipe?

**Mr. Lyons:**

Yes. I have the bill here.

**Michelle Madoff:**

Okay. Thank you very much.

**The Chair:**

I just want to say that I would encourage you all to override the veto also. I don't agree with many of Mr. Pollock's arguments but I'm not going to get into it. But the present Mayor did vote in favor of this legislation three years ago and Mayor Caliguiri, at the time, did not veto it. In fact, some of the same advisors that are advising our present Mayor were advising him, one of them that is saying now that it is illegal. Evidently Mayor Caliguiri didn't feel it was illegal or else he would have



vetoed it and he has the same Solicitor three years ago as we have today. So, I urge you all to override the veto.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

#### REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1237

Report of the Committee on Finance for July 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1015

A Resolution entitled, "Resolution transferring the aggregate amount of \$200,000.00 from various Code Accounts to Code Account 1103, Miscellaneous

Services (Index Code 110304)  
Department of City Planning." —  
(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. Chairman, Point of Order. I don't know if this is allowed but this has a companion bill and after the classic confusion everybody actually voted for my companion bill earlier. Some of you, at least my three colleagues to my left and the far end, voted to appropriate the money. Does anyone want to change their vote or I can presume that the Mayor is going to be vetoing the legislation, which I'm sure she's going to do, in which case my colleagues will then have an opportunity not to --

The Chair:

Anyone who wants to reconsider their vote can do that.

**Mr. Pollock:**

I make a motion to reconsider Bill 1015. I think some people voted erroneously. I know I did.

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

Point of Clarification. Mr. Pollock, do you mean to recast the vote now to correct the vote?

**Mr. Pollock:**

We have the right to do that if the motion passes.

**Mr. Ferlo:**

I have no problem with that.

**The Chair:**

On the motion to reconsider? All those in favor? Opposed?

**WHICH MOTION PREVAILED.**

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Woods        |
| Mr. Ferlo      | (Pres't Pro tem) |

**AYES 5      NOES 3**

(MICHELLE MADOFF, MR. POLLOCK AND MR. WAGNER VOTING NO)

And a majority of the votes of Council, being in the affirmative, the bill passed finally.

Also,

**Bill No. 1115**

A Resolution entitled, "Resolution transferring the sum of \$15,800.00 from Code Account 10 (Index Code 001008), Accounts Payable Prior Years to various following Code Accounts." —  
(SPONSORED BY MR. WAGNER)

Which was read.

Also,

**Bill No. 1149**

A Resolution entitled, "Resolution providing for the transfer of Fifteen Thousand Dollars (\$15,000.00) from Code Account 49, Index Code 004903, Reserve Fund-Sewage Service Charges, A.C.S.A. to Code Account 43-1, Index Code 004317, Refunds-Fines, etc."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 8      NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 1238

Report of the Committee on Public Works for July 27, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1097

A Resolution entitled, "Resolution granting unto Laborers District Council of 1101 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a loading dock on a portion of the Right-of-Way of Congress Street in the 3rd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1098

A Resolution entitled, "Resolution granting unto Latimer Associates of 621 North Avenue East, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a planter area on a portion of the sidewalk of Tripoli Street and North Avenue East in the 23rd Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 1239

Report of the Committee on Planning, Housing and Development for July 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 994

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community-Based Organizations for community and economic development planning assistance in various neighborhoods in the City, in an amount not to exceed \$360,000." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on Bill 994 regarding the neighborhood fund, I think it's important to note that we held this bill up for a couple of months because we were very concerned that Council be given information from Planning and the commission on community-based organizations regarding what organizations are to receive funding. We did receive this morning an indication that some \$346,000 has been committed to 13 different community-based organizations around the City, leaving a balance of roughly \$14,000.

I believe there's a community group in Hazelwood that Councilman Coyne has been working with and I would hope that Director Lurcott would work with that agency and possibly make a commitment towards \$14,000 or some of that towards that neighborhood group because that's one area, as I look down the list of the 13 groups, that is not represented at all. I see the North Side disproportionately represented with over 40 percent of the share and it's probably because they're doing some very good work and they need to receive those funds. I don't dispute that.

Mr. Chairman, rather than read this list, and since we're not making an amendment to this bill, I would ask that we at least include this as a matter of public record relative to this Bill 994 before I can comfortably vote on it.

I make a motion to receive the report from Director Lurcott regarding the allocations.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**(LETTER REQUESTED BY MR. FERLO)**

28 July 1988

Dear President and Members:

Listed below are the funding allocations made this past week by the Advisory Commission on Community Based Organizations for the 1988-89 funding year, which begins 1 September.

|                      |          |
|----------------------|----------|
| Breachmenders, Inc.  | \$35,000 |
| Calbride Place       |          |
| Citizens Council     | 25,000   |
| East Allegheny       |          |
| Citizens Council     | 25,000   |
| Garfield-Jubilee     |          |
| Association          | 35,000   |
| Hill PAC             | 21,000   |
| Lawrenceville        |          |
| Citizens Council     | 15,000   |
| Lawrenceville        |          |
| Development Corp.    | 20,000   |
| Northside Conference | 25,000   |
| Northside Tenants    |          |
| Reorganization       | 25,000   |
| Perry Hilltop        |          |
| Citizens Council     | 25,000   |
| South Side LDC       | 35,000   |
| Spring Garden        |          |
| Neighborhood Council | 25,000   |
| West End-Elliott     |          |
| Joint Project        | 35,000   |

Several of the grant allocations were made with conditions attached. These conditions and requirements are being communicated to the groups affected.

Attached is the list of members of the advisory commission that was requested at Wednesday's meeting.

Sincerely,

Robert H. Lurcott  
Planning Director

**(ATTACHMENT)**

**ADVISORY COMMISSION ON  
COMMUNITY BASED ORGANIZATIONS  
(ACCBO)**

Community Representatives

Mulugetta Birru, Executive Director  
Homewood Brushton Revitalization and  
Development Corporation  
805 N. Homewood Avenue  
Pittsburgh, PA 15208  
243-2210

Jesse Fife, Jr.  
Bidwell Training Center, Inc.  
1815 Metropolitan Street  
Pittsburgh, PA 15233  
323-4000

Karen LaFrance  
East Liberty Development, Inc.  
5907 Penn Avenue, Suite 200  
Pittsburgh, PA 15206  
361-8061

Wilburt Young  
Hill District Community  
Development Corporation  
1837 Forbes Avenue  
Pittsburgh, PA 15219  
255-6415

Citywide Representatives

Marva Harris  
Community Banking Division  
Pittsburgh National Bank  
5th and Wood Streets  
Pittsburgh, PA 15222  
762-3212

Nancy Hudak  
PA Department of Community Affairs  
413 State Office Building  
Pittsburgh, PA 15222  
565-2550

Robin Jones  
Urban Studies Program  
3K02 Forbes Quadrangle  
University of Pittsburgh  
Pittsburgh, PA 15260  
648-7489

Vell Trueheart  
Hill House Community Services  
1835 Centre Avenue  
Pittsburgh, PA 15219  
392-4436

Council Representative

City Representatives

Mary Lou Daniel  
Neighborhoods for Living Center  
517 Court Place  
Pittsburgh, PA 15219  
391-1850

Jane Downing  
Department of City Planning  
Gateway View Plaza  
1700 West Carson Street  
Pittsburgh, PA 15219  
255-2221

Mina Gerall  
Mayor's Office  
510 City County Building  
414 Grant Street  
Pittsburgh, PA 15219  
255-2631

**(END OF INSERT)**

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill  
pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1021

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide Food Distribution and Services Program' at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services (Index Code 110304) Department of City Planning." — (SPONSORED BY MR. FERLO)

Which was read.

**Michelle Madoff:**

On Bill 1021, as I understand it, it's the additional \$200,000 for food for the hungry. Now, I repeat, and I want this as part of the Record, that the breakdown from the Administration and also the breakdown from Mr. Ferlo's office, using any and all dollars that have been assigned to either the actual purchase of food or support systems to distribute the food such as \$35,000 for the Lutheran Services to distribute cheese and butter, came to a total of \$261,876. It would seem to me, and a portion of that came out of operating dollars, tax dollars; not a large portion, it came from

Unspecified Local Options and UDAG dollars.

I don't know how this City can justify spending more than \$260,000 of our allocations because, whether it's federal or state dollars, it's still our tax dollars, and whether it's operating budget, it's still our tax dollars, to vote for an additional \$200,000 which our Mayor has threatened to veto in any event.

As I stated the other day, any City that can afford to have \$1 million medallions for the sports arena, where millions and millions of dollars, corporations came up with individual \$1 million medallions, can certainly find somewhere in their budget an emergency dollar figure that they can contribute to the shortfall of \$200,000 to get us through the year and I would like to see more like a half million dollars. I stated that if the Mayor were to pick up the phone and call the same companies that came up with the medallions, she would have absolutely no problem raising this money.

I have a very limited amount of time and a very limited staff, but I started to make some calls. I don't want to mention the companies and put them on the line, but I've had one definite commitment from a company and I've contacted seven of the Fortune 500. One of the persons who has served on the Pittsburgh Foundation Hunger Task Force that Mr. Ferlo talked about and which I'm just beginning to understand, I don't know what reason the Mayor felt that we should not go that route, but she wanted to go through the Pittsburgh Community Services, Inc. for distribution, but a gentleman who is on the task force has volunteered to help. I also have talked to the United Way representative; they have volunteered to help. He'll be on vacation until

Thursday. And I'm going to help and I hope Mr. Ferio will help and I hope every other member of Council will break up this list. I'm using the Pittsburgh Business Times annual list of corporations and their phone numbers. I'm calling and saying, "Look, we have no time to apply for money through the traditional grants and filling out forms; there are hungry people out here. We need some money and we need it now." I have a gut feeling that if we all pitch in and go that route, we will not have to take the taxpayers' dollars, which we don't really have the right to use in a manner just because we want to help those needy. I could think of 100 other issues where I would like to take taxpayers' dollars and spend it that would be very helpful to the needy.

I would like to see us all pitch in. Let's call the corporations and raise the money; I think we can do it in 48 hours.

**Mr. Ferio**

In relation to this bill which supports the concept of a hunger act, this is an additional allocation of \$200,000 from the City's general fund, the operating budget, taking money from unbudgeted staff positions that the Administration never has any intention of filling. So, allocating this \$200,000 as a stop-gap measure to support the City's food pantries is not in any way going to jeopardize any Administrative activity or task that needs to be completed between now and the end of the year.

Michelle talks about spending the taxpayers' money. We in this legislative body, since January 4th, have spent taxpayers' money. Sometimes I've supported it and many times I haven't. We've supported concerts, we've supported car telephones in directors' cars, unnecessary automobiles, bond costs that were additional expenses that

I don't really feel were justified. There's been unnecessary travel. We've wasted a lot of money. Michelle has talked at length, in particular, about wasted expenditures in Engineering and Construction on unnecessary consultants, consultants in City Planning. The list is endless, the amounts of monies I feel we've wasted and not spent wisely and I've voted no since January 4th on many of those appropriations.

We have a budget of \$293.3 million in the general fund. In addition to that, we receive \$15.9 million in federal CDBG funds to support activities in community development neighborhoods. Out of all of those resources, the only monies we are committing actually to food pantries and to feeding poor people and hungry people in this City is \$140,872. Now, when you weigh that against over \$300 million received, I think that's a piddly amount and I think it doesn't justify and doesn't warrant the kind of support that I think this Council should give.

What I'm asking in support of this \$200,000 appropriation today, on top of the \$140,000, is a commitment to address a problem, something that takes an emergency concern on the part of this Council and the Administration. I'm saying, make that stop-gap appropriation now while we have the money. It's not going to affect the bond ratings; it's going to lower, certainly, the unexpended fund balance by \$200,000. The Administration says we're going to have a fund balance of \$5 million. I will argue and I'll bet my next year's pay that our fund balance will be \$8 million or \$9 million. I hope I'm proven right, obviously, and I'm sure the Administration actually hopes that I'm proven right because they want to end the fund balance with a larger sum of money.

I'm saying, vote to support 1021,

support a stop-gap measure. And I'm also saying, secondly, that as part of the annual budget proceedings, we talk about a way to commit at least a half million dollars in funds for next year's food pantries, whether it be public dollars, CDBG, the private sector or any other contributions we can make, including the check-off on the Earned Income Tax Form, the Employees' Donor Option, what have you. That's something we can plan and discuss at the end of the year for next year. But let's move to make a stop-gap measure and I ask you to support Bill 1021.

**Mr. Wagner:**

I'll be very brief. During this entire discussion I have not heard of one other municipality in Allegheny County that wants to contribute any dollars, I'm talking about one dollar, to this problem. I have not heard of the County wishing to ante up any additional dollars to cause the problem and, as we all know, it's a regional problem. I think that we should devote additional monies but it should not come from the operating budget; it should come from CD monies, if they are available, which are federal dollars coming to the City of Pittsburgh. I believe that's the purpose of those types of dollars and if there is a will, we will find a way to put more dollars in the budget for this purpose in the 1989 budget. However, I would request that we solicit other municipalities that are much wealthier than the City of Pittsburgh to address this problem and Allegheny County.

Furthermore, I'd like to state that there are some innovative programs that have been talked about recently and one was on 60 Minutes two weeks ago about the reclaiming of food not used in restaurants. I think the program that was initiated in the City of New York is an excellent program and could go a long

way to address this problem. I don't know if it's been introduced in the City of Pittsburgh but, if not, maybe we should look at it and maybe we should help fund something to get it rolling, something of that kind.

Finally, if we have extra dollars in the budget, I believe that those dollars should be applied to the reduction of the wage tax, not the four percent wage tax because we don't have a four percent wage tax. The City of Pittsburgh has a 2.125 percent wage tax. And if we can do that, we should ask the School Board to reduce their portion of the wage tax also. Thank you.

**Mr. Ferloc:**

Mr. Chairman, on Bill 1021 I would like my comments brought forward.

**Mr. Wagner:**

Mr. President and members of Council, I'll be voting against Bill 1021 as I did in Committee the last two times, and I would like my comments brought forward for the record.

**Mr. Pollock:**

Mr. President Pro Tem, there's no need to talk anymore. I've already made comments on Wednesday. Rather than repeat them again, there was only a couple paragraphs, I'd like them included in the Record for the final vote, please.

(REMARKS ON FOLLOWING PAGES)



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(BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NO.  
1021 - WEDNESDAY, 7/27/88)

Mr. Ferlo:

Thank you Mr. Chairman. On the two new bills we have already by virtue of the fact of approving the 1069 or amending the previous legislation to Council the \$46,000.00, we have allocated the \$100,000.00 to the Pittsburgh community services.

The bills, 1015 and 1021 which I'm introducing for consideration here is to earmark an additional sum of money of \$200,000.00 to the issue of hunger and rather than get into a debate with the Administration on who should handle the funds, whether it be the Hunger Fund or the Pittsburgh Foundation, what I've done here to go on line with what they have already done and what we have already done by creating a sum of money of \$100,000.00 for the Pittsburgh community services. So this \$200,000.00 that's created by 1015 and 1021 is an additional such that would be targeted to the Pittsburgh Community Services Incorporated.

Now very clearly this might cause some concern to the Administration and they might want to address this on the table but the moneys that I'm proposing to re-direct in the city budget are unexpended funds from appropriated staff positions that have not been filled in this year's budget. It does not mean by approving this money that the various department directors couldn't fill those budgeted positions if they want to; they can do it and do it starting July or August or the rest of the year. But by not filling budgeted positions since January First of this year, money has accumulated in these personnel code accounts, so what I'm basically doing is taking money out of that big city piggybank and making a stop gap, an additional appropriation given the fact that so many people express the concern about the need for the city to go above and beyond the call of duty to assist the food pantries throughout the city.

I think it's responsible for Council to consider this appropriation as a stop gap measure, taking the funds and recognizing that it's all we're doing is diminishing the amount of money that will be left in the fund balance, the surplus at the end of the year.

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I would agree with the Administration that it would be irresponsible for us to continue that appropriation into the next budget year without an annual discussion at the end of the year on how these funds are going to be--how we are going to raise these funds and that gets into a question either of taxation and raising new revenues or better appropriating and targeting whatever moneys we want to spend at the end of the year. So I see them as two different discussions that need to take place. One is an approval of the \$200,000.00 as a stop gap measure recognizing the calamity that people are in, in this city. At the end of the year as part of the budget debate I will raise for discussion the issue of spending city funds, both federal as well as operating, for a planned approach towards assistance for the food pantries and that's a discussion that can take place in a logical fashion at the end of the year as part of the annual budget debates. So at this time I would ask for Council to please support and consider passage of these two bills.

Mr. Chairman, in proposing this legislation, it is not my intent and nor would I even favor voting for anything that I thought would place the City in any type of fiscal bad posture. I don't see that happening at all in the appropriation of \$200,000.00 out of the overall budget that we're talking about in the city. I would expect Director Turner to come to this table and I would hope that he would act like Mr. Scrooge. I have no problem with that. I would like him to play that role. That's his job and that's his role, we're a different body and we have a different standard. I do have problem with the Director acting like a fiscal obstructionist and I think that's basically what he's proposed here this morning.

First of all I would disagree with him (Turner) on the issue of the fund balance. Unfortunately he's the Fiscal Director and I'm a Councilmember, but I'll bet my next year's pay to Mr. Turner that it will not be \$5 million and it will be more like \$7 million or \$9 million. That's first and I'm on public record. That's the first thing.

Secondly, we've already established a precedent. We've taken operating funds, general fund moneys and funded the Lutheran Service Society \$35,000.00, so there's at least one precedent established by my esteemed colleague Mr. Woods. Fortunately earlier in the year of taking general funds and supporting a very similar effort in relation to distribution of food services and food stops to the hungry. So there's at least a precedent both from a legal point of view as well as the Administration should have probably have jumped up and down on that issue because they did open a flood gate maybe.

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I would agree with Mr. Turner and I said that earlier and even my good friend Mr. Craig at the Post-Gazette. I would agree with them that it's irresponsible for this Council to appropriate money for new services, human services or in this case feeding people if in fact next year we did not talk about how we are going to pay for that. And there's two ways to do that. You can either raise revenues from various sources, hope you bring in new revenues or you have to realign your priorities.

I have voted since January 4th against hundreds of thousands of dollars of expenditures that the Administration has presented to this table. If you ask the general public, should we spend money--I'm talking about Pittsburgh residents, not suburbanites. If you ask them, should we spend \$50,000.00 on noon-day concerts in Mellon Square or should we feed people in Hazelwood and Greenfield and Beechview and Brighton Heights and East Liberty and in Lawrenceville, I would suggest that they would say to forget about the noon-day concerts, let's feed people.

The time does not permit me to talk about wasted expenditures and misguided priorities that we've had to vote on since January 4th. So as far as I'm concerned this is a bunch of baloney about the issue of the available finances. And even assuming that Mr. Turner is correct, which I don't agree that he will be and the balance is \$5 million, I'm saying let the balance at the end of the year be \$4,800,000.00 and let's appropriate this \$200,000.00 and let's engage in a dialogue and a discussion with the Administration at the end of the year on the issue of the 1989 budget and how much money will be spent on food and let them if it needs to be, take some of the \$16 million CDBG grant and allot one-half million dollars from that since they've been uncooperative in at least trying to suggest new revenues such as the PGH-40 which they've acted as the legal obstructionist as well as the fiscal obstructionist. So if they want to come back and engage in some actual planning which I would like to do with the Administration, let that happen at the end of the year but this is a stop gap measure and we have the money, it's foolish to say to this Council that we're going to affect our bond rating and all the other hocus-pokus; that's just not the case and if anybody believes that then I have a bridge to sell you.

Mr. Wagner:

As Finance Chairman I'm going to have one brief comment and my comment is that that I believe Mr. Ferlo, you should be commended and obtaining \$100,000.00 from CD federal moneys towards this project so far with the previous legislation that

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was passed. I for one as Finance Chairman do not agree that general operating moneys should be used for this purpose. I think the right term was used by Mr. Ferlo, realignment of priorities. If we want to obtain additional moneys for the hunger we should find additional CD moneys for that purpose. During this entire discussion Council, under the leadership of Mr. Ferlo, has come up with an additional \$100,000.00 the Administration has agreed to that and I have heard no additional commitments from county government towards this obvious concern not only in the City of Pittsburgh but Allegheny County. We have 132 municipalities out there in addition to the City of Pittsburgh and Allegheny County, most of which are much more wealthy than the City of Pittsburgh; they have committed no dollars to this particular project. I firmly believe that we are doing a whole lot not only with the previous legislation with additional legislation that has been passed in the past and in the 1988 budget. I firmly believe that if we have an additional \$200,000.00 or \$1 million or \$5 million it should be applied to a reduction in the wage tax. That has to be the number one priority in the City of Pittsburgh.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

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(BEGINNING - MR. POLLOCK'S COMMENTS ON BILL NO. 1021, WEDNESDAY, 7/27/88)

Mr. Pollock:

I think that what has been said about the groups that are doing this work and about the issue is very important and very pertinent.

The problem of the hungry in Pittsburgh is extremely critical and I have served in the past on the Mayor's Commission on Hunger, so I'm well aware of the issue and the problem and the work being done is extremely vital.

But I have been the only member of this Council for the past two years who has voted against every grant and donation to social service agencies. And my reason for opposing this is because I do not view the City of Pittsburgh as a social service agency.

When I was elected to Council, I didn't feel that I was elected to be serving on a social service board. There are bodies entrusted with that duty. We have the United Way, we have the churches, we have foundations and we have the charitable arms of corporations and I think county government is much more entrusted with that role in city government. So when groups come before us saying this is a last resort and that if the City doesn't bail them out the doors will close and it puts Council and city government in an extremely painful situation and when I've opposed every grant in the past two years--as I said I'm the only one who has, it has not been without a great deal of pain and suffering on my part and pangs at my conscience, but I have to remember why I'm here and why City Council is here and why city government is here and until the City lowers the wage tax, addresses the problem of the business privilege tax.

As I've said before, City Council will be inkeepers for an empty inn, that there will be no businesses and no people living in the city except those who cannot possibly leave; the old, the hungry, the poor. And so it's almost a self-fulfilling prophecy that the longer we keep the four percent wage tax, the longer we keep the business privilege tax as it is, the more hungry we're going to have because that's all that's going to be left in the inner city.

Now, if we can lower the wage taxes which I will be proposing to do again, then I will seriously look at budget-time, looking at grants of this nature to social service

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agencies, but until that time, until we address the economic situation of this city, the City of Pittsburgh government cannot be put in a position of being a social service agency.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**Michelle Madoff:**

Would you please have Mr. Turner's comments brought forward so they will appear in the Monday's Minutes?

**The Chair:**

We can't do that.

**Michelle Madoff:**

I think it's important that people understand the issue.

**The Chair:**

I don't think it is and a motion like that is out of order.

**Michelle Madoff:**

Alright. Thank you.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Woods        |
| Mr. Ferlo      | (Pres't Pro tem) |

AYES 5                      NOES 3

(MICHELLE MADOFF, MR. POLLOCK  
AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1105

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$280,000.00."

Which was read.

**Mr. Coyne:**

Mr. Chairman, I'd like to thank Director Lurcott for providing us with the information that was requested by Council as to where these monies for the community groups are going. I think this is the way that vote should be established in this Council, that Council doesn't have any part in decision-making but we should know where the monies are being spent prior to them going out. I thank him for that information.

Also,

Bill No. 1106

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus."

Which was read.

**Mr. Coyne:**

On Bill 1106, the Port Authority of Allegheny County, the supplement for the bus in the Hill District, the letter we have from the City Clerk says that Bob Fulton from the Port Authority was on vacation last week and was not available

for additional information. As I stated last week, I'm not questioning whether this area needs this bus but the service was established, I believe, ten years ago and I think at some point we do need to look into whether there are other points of the City that could benefit from this program or is this program still needed in its present form.

So, I would ask Council to recommit this until Wednesday so we could possibly get further information from Bob Fulton of the Port Authority on the legitimacy of continuing this operation.

Mr. Ferlo seconded the motion.

Mr. Lyons:

Mr. Chairman, I would not like to see this bill deferred. If there's any problems, then I would say let's pass it and correct it during the interim of the next year. The bus is used every day. Every bus is used; it's not a matter of one or two people riding the bus.

I would like for my comments to be brought forward from last Wednesday on the bus. It's needed, it's for the poor people, and certainly I hope that we're not deferring or letting things off because the neighborhood is about a 90 percent black neighborhood which is poor and poverty stricken and they need the use of this bus. Certainly, I hope this is not the cause for trying to defer it

(REMARKS ON FOLLOWING PAGE)



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(BEGINNING - MR. LYONS' COMMENTS ON BILL NO. 1106 - WEDNESDAY,  
7/27/88)

Mr. Lyons:

Mr. Chairman, I am very much in favor of the bill. The poor people and the very below-average income are black people that come from the Hill District and they have no other way of transportation. They can't make it anywhere to go shopping, going to the medical center and other necessities that they need to survive and I think this is--I don't see anything wrong with the people because we're helping the people of City of Pittsburgh and this is a poor people and certainly I think my colleagues should pass this bill.

Mr. Chairman, I would say on this bill here is in a very high depressed area. I hope the reason they're not in favor because of majority of the people I hope I am wrong are black.

I don't want see the discrimination of that kind and it should be allocated because the people need the transportation to secure the food and I say past bill now and Mr. Lurcott would get what we need by Monday and if he doesn't we will take another position.

(END OF COMMENTS)

PREPARED BY: MARY ANNE BRUSKA, STENOTYPE REPORTER 1

**Mr. Ferloc**

Mr. Chairman, on the motion to recommit, for purposes of further discussion, I just want to say something very clearly in terms of my final vote on this legislation. As somebody who sat on the Model Cities Commission years ago and as a community organizer in Oakland who helped to actually initiate the 84E Oakland Loop Bus in addition to the 84C Support, I'm not going to do anything that's going to jeopardize the operation and continuation of those buses. That's really not the issue today. The issue is to have a discussion with the Port Authority regarding several issues, one issue being why, after ten years, does there need to be a continued subsidy of this bus when, in fact, by PAT's own figures, 426,912 people ride the 84C and 98,480 ride the 84E. The issue really is, after ten years of public support from federal dollars, why can't these buses be mainstreamed into the continued operations of the Port Authority? I find it very upsetting that we in the City must support suburban buses which sometimes have one, two, five, ten people riding on them.

Again, there's no issue that these buses have to be supported and we should not do anything that would jeopardize or threaten their discontinuation. The issue really is whether or not we in City Council can discuss this issue, receive the financial data from the Port Authority. And the other motive I have, quite frankly, is that if we did not have to give the \$200,000 to subsidize PAT, we have \$200,000 to support other types of housing, community development activities in the Hill District. And that's partly why I would like to at least hold off and discuss this with the Port Authority regarding the issue of how much it costs to operate the bus and how much do they take in in revenues.

**Michelle Madoff:**

I think Mr. Ferlo makes a very good argument but I've been here for ten years and there's no doubt in my mind that that bus needs to be there. I think we ought to keep the bus in place until the end of the year, before budget hearing meet with the Port Authority, and find out whether Mr. Ferlo's contention that there needs to be a trade-off. We subsidize suburban buses that have one or two people; they can certainly subsidize the dollars that are needed to go into the Hill Loop Bus. I don't have a problem with it but I think it would be unconscionable for us to deal with it by removing this dollar figure at this point. I think we ought to leave it in tact and decide what we ought to do in '89 budget and not touch this now and have the President of Council set up a meeting with Port Authority.

**Mr. Ferloc**

Point of Order, Mr. Chairman. The issue is really on recommitting the bill for discussion, not voting yes or no on the allocation. I'm in favor of the allocation. I'm only supporting a motion to recommit for discussion.

**Mr. DePasquale:**

I just want to say the arguments for recommitment convinced me that we shouldn't recommit the bill because they gave some very strong arguments that the program should continue. However, we want to look into the financial aspect and the operation and what have you. And as Mr. Lyons pointed out, those are facts and figures that we can get as the year goes by and then next year and make a determination whether the system should continue or not. But at the present time there's really no need for a recommitment and we should pass on this bill.

**Mr. Coyne:**

Mr. President, first of all, I highly resent Councilman Lyons' accusation or attempted accusation that any part of this recommittal has anything to do with racism. I think this Council needs to operate with an open mind. I think this Council needs to make decisions based upon facts and figures placed in front of it in a professional manner. And if Councilman Lyons chooses to make his decisions based on his emotions and his feelings, that's his priority and it's up to the voters of the City of Pittsburgh to answer to Mr. Lyons at election time. But I think the rest of us have a responsibility to look at facts and figures and to make our decisions as to what can benefit the City.

And as Mr. Ferlo brought up, we're not asking for this money not to be given; we're just asking for it to be recommitted until Wednesday so that we can talk to the Port Authority and see what they can possibly do to help alleviate our problem here in the City.

**Mr. Lyons:**

Point of Order. I brought no racism into it. I'm just stating the facts. The facts are there; there's nothing that I'm making any implication of. There are poor people that need the use of that bus and I want to see that bus stay in place.

**Michelle Madoff:**

Point of Clarification, Mr. President. If we vote on this bill today, this doesn't remove it from '89, does it?

**The Chair:**

No.

**Michelle Madoff:**

It says agreement with Port Authority for a continuation. Is that for the continuation of '88 or '89?

**The Chair:**

'88.

Let me explain something. If you recommit this bill, it just means you're going to discuss it again. I will ask you not to recommit the bill. We already have it in the budget for 1988. We'll be going into the budget process in a few months; right after election, November 10th or 11th we start our budget deliberations. And then we can bring this up and we can get Port Authority in here and we can talk at length about this issue. But I would ask you now not to recommit, vote the recommittal down and pass this piece of legislation. Very shortly we'll run into budget; it's only a few months away and we can really get into the situation.

**Mr. Ferlo:**

Mr. Chairman, I think you raise a good point. I have no problem in not discussing this on Wednesday but I would like it discussed at the end of the year. And also I would like an invitation to go to any and all interested parties in the Hill and the South Oakland community to discuss the issue of subsidy versus other kinds of economic development projects that might be desired.

**The Chair:**

Do you withdraw your motion to recommit?

**Mr. Coyne:**

I'll withdraw it.

**Mr. Ferlo:**

I withdraw my second.

Also,

Bill No. 1107

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh and Presbyterian-University Hospital of Pittsburgh for authorization to construct an eight (8) level building with a seven (7) level hospital parking garage; and a one (1) level sports center. The property is the site of the University of Pittsburgh tennis courts, and has frontage on the easterly side of ROBINSON STREET EXTENSION, 5th Ward."

Which was read.

Also,

Bill No. 1069

A Resolution entitled, "Resolution amending Resolution No. 525, approved July 12, 1988, entitled: 'Providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the operation and implementation of a 'Citywide Food Distribution and Services Program' at a cost not to exceed \$46,414.42,' by adding an additional \$53,585.58." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Pollock presented**

Bill No. 1240

Report of the Committee on General Services for July 27, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1064

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts/or use of existing Contracts for the furnishing and delivery of office equipment for the Bureau of Building Inspection, Department of Public Safety, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1094

A Resolution entitled, "Resolution

providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase metal lockers for turnout gear for the Bureau of Fire and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Ferlo       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
| Mr. Pollock     | (Pres't Pro tem) |

AYES 5            NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 1241

Report of the Committee on Water for July 27, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1147

A Resolution entitled, "Resolution creating a special trust fund to be

designated as the Meter Installation Program Trust Fund, and providing for the transfer of \$200,000.00 from Code Account 1977 (197707) Department of Water, Utilities in connection with the Department of Water's Remote Meter Installation Program, and providing for the payment of costs thereof."

Which was read.

**Mr. Ferlo:**

I'd like my remarks brought forward for the Record.

(REMARKS ON FOLLOWING PAGE)

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(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 1147, WEDNESDAY, 7/27/88)

Mr. Ferlo:

I wrote two notes down on this bill, one was union labor and two is to thank you. But by way of illustrations, since I see another Director here from another department, this is exactly what I've been trying to illustrate all along and that is the point of doing some of these projects utilizing local union labor - in cooperation with local union labor instead of going out on contract and consultants, ad infinitum.

Here's a good illustration of a deal that's been worked out. It's a very creative deal and even though we're paying the union wage and I believe, Mr. Sciulli, also a 25 percent fringe on top of that, it is still lower than if this were going to be let out on bid on contract and I would hope that the Administration would go back to their meeting room and use this as an illustration in the future for other kinds of activities in Engineering and Construction and Public Works and elsewhere of an example that we can do it in other departments; case in point is the McArdle Roadway sidewalk and there's 50 other examples.

So I want to say thank you very much to this Department Director and I hope that it's a vehicle by which the Administration would at least evaluate their approach in Public Works and in Engineering and Construction and see if this can't be a model to do likewise on development projects. So thank you, Director.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 1242

Report of the Committee on Engineering and Construction for July 27, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1089

A Resolution entitled, "Resolution amending Resolution No. 427, effective June 10, 1988, entitled: 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh, in matters of

Property Acquisition and Relocation of Streets Rights-of-Way in connection with the Reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty - 10th Street - 6th Avenue; and providing for the payment of the costs thereof,' by correcting the Index Code in Section 2 and by providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 1090

A Resolution entitled, "Resolution further amending Resolution No. 1218, effective December 31, 1979, as amended by Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, as amended by Resolution No. 990, effective November 20, 1984, as amended by Resolution No. 17, effective February 6, 1985, as amended by Resolution No. 1262, effective December 31, 1985, as amended by Resolution No. 1156, effective December 22, 1986, entitled: 'A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to Twelfth Street; and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by increasing the total project allocation by \$137,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1091

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library (The Carnegie) in connection with Miscellaneous Renovations to Various Branches; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Ferlo      | Mr. Woods   |

Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1092

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Renovations to Various Public Safety Facilities; and providing for the payment of the cost thereof."

Which was read.

(MR. LYONS' AND MR. FERLO'S REMARKS ON FOLLOWING PAGE)



(BEGINNING - MESSRS. LYONS AND FERLO'S COMMENTS ON BILL NO.  
1092 - WEDNESDAY, JULY 27, 1988)

Mr. Lyons:

Mr. Chairman, as I see this, we still have a bill that hasn't been taken care of and we are still piling fire stations and police stations to be refurbished when we don't have--nothing has ever been done and the Council passed on Troy Hill on Fire House No. 51 on the Troy Hill and I'm interested in that. Not that I wouldn't vote for that but why hasn't the Troy Hill Station been taken care of, Mr. Director, and we're still adding fire stations and police stations for refurbishing?

The Chair:

Director, is that part of this legislation?

Dir. McDermott:

No, it's not. That question would have to go to the user department.

Mr. Ferlo:

I'm also voting no on this probably because of that reason but again I draw to the illustration. This is an exact illustration of the potential for local union labor to do this work in a very similar scheme. We're going to hire a contractor, probably most likely it's non-union labor, most of them do not live in the city. This is an excellent example, an illustration, whereby we could use a similar method that we just voted on with the union plumbers. Now we can't do that on many things, massive construction projects, maybe massive bridges, God knows what but on this type of an activity, the masonry and the pointing and the concrete aprons, waterproof ceiling, this is an exact illustration of the ability to use local union labor, city residents, at a cost that would be cheaper and would have more impact at keeping the dollars in the city. So on that basis I'm voting no on this legislation.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Pollock    | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 4                      NOES 3

(MR. COYNE, MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council not being in the affirmative, the bill was tabled.

**Mr. DePasquale:**

Can we have Mr. Lyons come in and vote?

**Michelle Madoff:**

You would not let Michelle Madoff come in to vote if I were out in the hall.

**Mr. Pollock:**

Point of Order. We can bring this up again.

**MOTIONS AND RESOLUTIONS**

**The Chair presents**

No. 1243 Resolution appointing Councilman James Ferlo as a member of the Pittsburgh Equipment Leasing Authority for a term to expire January 1, 1993.

Which was read.

**Mr. DePasquale** moved to approve the appointment.

**Mr. Wagner** seconded the motion.

**Mr. Ferlo:**

Mr. President, first of all, I want to thank the Mayor for the appointment; I will accept it. It does not change the basic concerns that I have; I am still opposed to the unnecessary bond issue for the Equipment Leasing Authority. I still have fundamental problems with the fact that we have an authority. I don't see a contradiction in accepting the appointment, though, because, unfortunately, I was overwhelming voted down on my concern and I believe that since I was granted the appointment, I will obviously seek to have some input on the acquisition of vehicles for the City and I believe I will make a contribution to that effect.

I think, more importantly, I will seek to open up and make the Equipment Leasing Authority a little more accountable. We've had discussions in the past about the fact that minutes have not been kept at the meetings. There's generally a lack of public accountability. You can certainly bet that if I'm on the authority and attending meetings, that the media and the public will be informed as well as this Council of the decisions and activities of the authority.

So, I want to thank the Mayor for the appointment. I want to make it clear, also, that it's not the appointment I requested. I did request to be placed on the Alcosan authority. Needless to say, they do not want a consumer advocate like myself on that authority because that's probably another authority that I would probably seek to have disbanded.

But if there are other considerations in the future for Water and Sewer, I'm certainly ready, willing and able.

**Michelle Madoff:**

Mr. President and members of Council, the appointments by the Mayor were made on July 29th. I believe that was this past Friday. I got a call at my home from Mr. Jacoby; I had a terrible headache and could barely talk to him. I said, "I can't talk to you right now; I will let you know. I will think about this and get back to you." I recalled, as soon as my headache subsided, I took three aspirin, that on July 7, 1988, that's two and a half weeks prior to my phone call Friday morning, I had sent a letter to Sophie Masloff and I sent copies to all my dear colleagues, President of Council, and I hand delivered a copy to Mr. Jacoby. The letter read as follows, and I would like it as part of the record. And this is dated July 7, 1988, not the day that I was called and notified of the other appointments to the Water and Sewer Authority and to Alcosan.

"Dear Mayor Masloff:

My appointment to the Equipment Leasing Authority began in February of 1986 and expired in December of 1986. After repeated requests to the Administration to reappoint me to the Authority and after 19 months of no response, I assumed that my reappointment is not forthcoming.

I suspect I was not reappointed so I could be removed at will, should I not vote the Administration's views. This is not acceptable to me; therefore, I wish to have my name removed from consideration for reappointment.

Further, on reflection, it seems to me that the Home Rule Charter should be amended to eliminate the

appointment of any Councilmember to any authority. The potential for cronyism, patronage and personal gain is greater than the benefits of having a Councilmember sitting on a board voting for the purpose of representing City Council. Alcosan, the Public Authority, are two prime examples.

While authorities are autonomous, there are those who would argue that they have a Councilperson as a member of an authority is beneficial. I believe the potential for abuse far outweighs the benefits we would accrue.

I would urge Council and the Administration to seek the removal of mandatory appointments of Councilmembers or any elected official. Authorities should truly be anonymous."

Now, again on the 29th when I got my phone call I sent a note about an hour later to Mr. Jacoby.

"Dear George:

It is with deep regret that I must decline your appointment of me to the Board of the Water and Sewer Authority.

As you are aware, on July 7, 1988 I had my name removed from consideration for reappointment to the Equipment Leasing Authority in a letter I sent to Mayor Masloff. The reasons stated have withstood the test of time and are as valid today as they were three weeks ago.

While I would still have to decline, I am nevertheless amused at the political gamesmanship removing Jack Wagner from the Water and Sewer Authority to serve on the Board of Alcosan. If the Administration truly wanted the person on Council who has worked on the problems of Alcosan with a cadre of

resource people during my environmental days, I would have been asked to serve on Alcosan.

Having watched the political shenanigans of Alcosan for ten years, I would nevertheless have had to refuse even this appointment. I repeat, no elected official should be appointed to any board or authority with the potential for cronyism and patronage.

My reason for declining any appointment to any board or authority will not change. I would urge those who share my viewpoint to seek the removal of mandatory appointments of Councilmembers or any elected official to authorities and pass legislation which would provide volunteers in the private sector, particularly academia, who could make meaningful contributions through their knowledge and experience in dealing with specific problems of any board or authority.

Wouldn't it be in the best interest of the community to have a scientist from Pitt's outstanding Water Airborn Research Department to serve on the Water and Sewer Authority? Pitt has the finest mass spectrometer equipment in the country and the best qualified scientist, perhaps, in the world. Carnegie Mellon and Pitt both have epidemiology departments whose members could be eminently suited for appointments to either Alcosan with its odor problems or the Water and Sewer Authority dealing with water contaminant problems.

Pittsburgh is also blessed with outstanding colleges and professors of economics who would be ideal to serve as contributing members of the boards and authorities.

I could go on and on in this vein but I think the message is clear. Let us not

taint our boards with cronyism and patronage."

And if memory serves me well, during the whole Alcosan fiasco, either the Press or the Post made a statement that they felt in an editorial that the best people to serve on the boards would indeed be the university people who have no political gain.

I just wanted that to be included in the record today because one of my colleagues feels that I am terrified that he is going to run for Mayor and the reason I am attacking everybody is because I am thinking about running for Mayor. Frankly, according to our poll, it would help me greatly if he would reconsider and run. It would help the vote. I think the whole thing is absurd. I don't think anyone should have the opportunity to be labled as having had undue influence. That's my personal opinion; I'm entitled to it. You're all entitled to your opinions as you see fit.

#### **The Chair:**

Before you speak, Jack, just let me remind you that we're not even on your appointment yet; we're still on Mr. Ferlo's. Ms. Madoff went off the drift but I let her go.

Mr. Wagner, you have the floor.

#### **Mr. Wagner:**

Thank you, Mr. President and members of Council. First of all, I'd like to state that I support Mr. Ferlo's appointment to the Equipment and Leasing Authority and I think it's very important that we have an active Councilmember on the Equipment and Leasing Authority. I would refer to the Charter in terms of appointments to all authorities, and in Section 219 of the Charter, "Appointment and Terms of

Members of Authorities - The Mayor shall appoint all members of authorities subject to approval of Council except as otherwise required by law. They shall serve for terms as provided by law."

In Section 220, "Composition of Authority Boards - A member of Council shall serve on each authority board; however, no member of Council may serve on more than one authority board at the same time."

The Mayor is required, according to this Charter, to appoint a Councilmember to each and every authority. The Mayor has no other choice. And it is the Mayor's total jurisdiction as to who is appointed to what authority. That legal opinion has been granted to us in the past and it still holds true today. Therefore, the position that I took going back several months ago that everyone agreed upon, this Council, the Administration and many others in the past, that it was a Councilmatic appointment to the Alcosan Board, is not true. It is a mayoral appointment. I brought that to the floor; I brought that point up and it held in terms of legal opinions. That was a valid point and it is backed up by the Charter.

In terms of Mr. Ferlo's appointment to the Leasing Authority, I think it's very important that the Mayor appoint people that attend meetings at authorities. If a Councilmember does not attend a meeting and does not attend authority meetings in general, I don't believe they should serve on that authority. In essence, the leasing authority has been unrepresented by Council for two years, even though Councilwoman Madoff complained for almost a decade to Mayor Caliguiri to be appointed to an authority, and he did appoint her to that authority on June 23, 1986, and she attended a meeting on that day. After that day,

there were six meetings of the Leasing Authority that this Council was unrepresented on the Leasing Authority. Therefore, the attendance record of Councilwoman Madoff on the Leasing Authority was one meeting out of seven in two years. In other words, an 85 percent absentee rate.

The only reason why I bring that up is because it's very important, according to the Charter, that this Council have representation on that authority. There have been very critical issues that have come up such as the lack of radios in Public Safety, of which this Council does not vote on. This Council knew nothing about the issue because there was no one there to represent Council. There were no checks and balances; there was no public forum on the issue.

Therefore, I strongly recommend, in all appointments to all authorities by the Mayor, confirmed by this Council, that Councilmembers attend the meetings. It is the only way this Council can bring issues back to Council to be discussed in a public forum. Therefore, I strongly recommend the appointment of Mr. Ferlo because I am certain he will attend the meetings of the Leasing Authority and I would ask for all Councilmembers to vote in favor of it also.

#### The Chair

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**The Chair presents**

No. 1244 Resolution appointing Councilman Jack Wagner as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1989.

Which was read.

Mr. DePasquale moved to approve the appointment.

Mr. Lyons seconded the motion.

**Michelle Madoff:**

Discussion. I just want to point out that while Mr. Wagner, if we're using names here, is pointing out my shabby record of having not attended the Leasing Authority meeting and since there were only three meetings in all of '86 during the time I was appointed and not the eight meetings he would like you to believe, it's the usual distortion. My father had a wonderful expression: "You can always protect yourself from a thief, you put it away; but there's no protection from a liar."

Now, Mr. Wagner is a very smart man. Mr. Wagner is smart enough to know that he can get his brother a job working for Mr. Flaherty and I'm

terrified of what he's going to do when he's on Alcosan.

**The Chair:**

You're out of order, Ms. Madoff.

**Michelle Madoff:**

Fine. I'm out of order. I'll yield.

**The Chair:**

I just want to tell everyone this. We are talking about this appointment. I let everyone get adrift a little bit. But when you bring up other subjects not related at all, you're going to be out of order and the next one that does it, when I rule you out of order, if you get personal, you will be fined.

**Mr. Ferlo:**

Mr. Chairman, whether some of us like it or not, Alcosan exists and it happens to be a very important authority. I did attend a meeting the other evening with Councilman Wagner in the South Hills area, in fact, in front of the Overbrook Citizens' Council, and it was clear to me that he was very knowledgeable about a particular problem confronting that community and a very large part of the City and that's the Saw Mill Run problems and it's clear to me that Councilman Wagner is very knowledgeable about this issue in particular. I would say because of that, and his general knowledge of some of these issues, but I think more importantly, it's been clear to me in the brief time that I've known the Councilman, that he's someone who always attends meetings, unless he's in the hospital and so far that hasn't happened. But more importantly, I think Councilman Wagner has worked overtime in trying to inform the public as well as this Council of issues that are before

both this legislative body as well as the authority. We can run from a fight or we can dig in and try to make a contribution to an authority that has a very important mandate of delivering services to residents in the City and the County. I think the authority is well-served by the addition of someone like Mr. Wagner, specifically on the Alcosan.

I think it's very important also to point out, and I disagree with my colleague, Michelle, I'm very glad, fortunately, that the framers of our Charter saw fit to have Council representation on all of the authorities because I think it does begin to inject some level of checks and balances. It's very clear to me that the authorities are becoming more and more secret governments operating without the kind of public input and accountability that there should be and I believe Mr. Wagner will help turn that about at Alcosan in particular.

**Mr. Pollock:**

I think it should be pointed out that one member of this Council has been fighting the Alcosan battle far before anyone got involved, far before the media, far before the County government, far before any Federal investigators, any County investigators, and that, of course, is Michelle Madoff. She was fighting as a lone wolf in the wind, if you will, and has a record of monitoring Alcosan and making noise about it and attending their meetings and testifying about what is going on there far before anyone. If fact, everyone was jumping on her bandwagon when it was convenience and popular to do so. I think that Mr. DePasquale, who served on there for a long time, will admit that clearly she was a thorn in his side for many, many years before anybody else jumped on the bandwagon because it was the political expedient thing to do.

One can say what one wants about Michelle and her many peccadillos and I'll be the first to admit that they do indeed exist. But I think that for this appointment to Alcosan there is a clear, clear choice for who it should be --

**Mr. Ferlo:**

Mr. Chairman, Point of Order. The choice before us is to confirm the appointment from the Mayor. The issue is not to support or reject my colleague Michelle. If that is the issue before us, I would like to talk about it and I have some good things to say about Michelle. But, unfortunately, that's really not the issue before us.

**Mr. Pollock:**

Do I have the floor?

**The Chair:**

He had a Point of Order; I listened to his point.

**Mr. Pollock:**

Now I have a Point of Order.

**Mr. Ferlo:**

I'm asking the Chair, isn't the Point of Order relative to whether or not we confirm or reject the appointment of Mr. Wagner? That's really the issue before us.

**The Chair:**

I think Mr. Pollock is skirting on the issue, so I'll let him go.

**Mr. Pollock:**

I think it's clearly more relevant than Michelle's attendance record at the Equipment Leasing Authority as when

Mr. Ferlo was being considered. What was the relevance to Mr. Ferlo?

**The Chair:**

Get back to Alcosan.

**Mr. Pollock:**

I think that there is a clear choice for the most appropriate member who has an impeccable record as far as watchdog, who has never gotten jobs for anybody. What Alcosan needs right now is a watchdog. It needs somebody to go in there, go through the payroll, go through the spending, and there's only one person on Council, including myself, who is qualified for that position. I'm very disappointed that Michelle was not appointed and it's a very misguided, ill-advised appointment.

**Michelle Madoff:**

I want to repeat that while it is true that I would believe I'd be the most qualified, I would still turn down the appointment. I said so three weeks ago before this appointment was made. And I support the printed media when they said what we need to do is to get someone who has no political influence, no political concerns, somebody like Dr. Moyshi Shapiro from Pitt who is an expert in Water, some of the economic people, even some professions. Anyone to make sure we have a cadre of very experienced people who wouldn't care about the political shenanigans or looking to put people into patronage jobs who will be equally interested in protecting the integrity of Alcosan the same as I was ten years before I got to Council when I started with GASP and we used to watch Alcosan. We used to refer to Alcosan as Alcostench and that much hasn't changed, I might admit. It's been a hard battle. One could ask where was the County Controller. Before he was

invited to come in and do an audit, where was he?

I don't want the appointment; I wouldn't accept the appointment. I am making the point only that I would like the Administration, the Mayor, to present a mechanism to change the Home Rule Charter that would provide for people who have absolutely no ax to grind except to lend their expertise, expertise which I have but certainly not to the degree of some of the experts that have been resource people to me to serve on all of these boards and commissions.

**Mr. DePasquale:**

The only comment I had to make was that I think it's appropriate at this time that Jack Wagner be appointed to the Alcosan Board in regards to the Saw Mill Run Creek situation which probably Councilman Wagner was more concerned and more active than anybody here on this Council.

I don't want to belabor the point but Saw Mill Run was always a problem for the City of Pittsburgh. It was their responsibility; it's right in the Charter. It's only recently that Alcosan took over that responsibility and are now ready to address it. In fact, a report or a consultant study should be handed in very shortly. I believe there's something like \$15 million available. Now remember, we're talking about anywhere from \$30 million to \$300 million to do that job. So, obviously, we're not going to raise \$300 million but they can possible raise \$30 million or \$40 million through a bond issue or whatever, and finish that job or do it right for the first time in I don't know how many years. I'm glad that Jack Wagner will be on that board.

We've talked about this, Jack and I, a couple of weeks ago and Jack had some reservations about going over there. I



pleaded with him to go over there because of the Saw Mill Run situation and I'd like to see that thing followed through. I would have liked to have been there myself to follow through but, at the same time, if I can't, I'm glad Jack Wagner is the person that's going over there.

I might want to add that in 14 years of serving the Alcosan Board, I had never missed one meeting.

**Mr. Wagner:**

Mr. President and members of Council, first of all, thank you, Mr. DePasquale and Mr. Ferlo. I also appreciate that Mayor Masloff has chosen me for this important position.

I would like to read a news release that I put out Friday as a result of this appointment. It reads as follows:

"I am pleased that Mayor Masloff has carried out the original recommendation of Mayor Caliguiri on his appointment to the Alcosan Board. I consider this seat on the Board to be an important position and a challenge.

As the representative for City Council, I have not only the interests of City ratepayers at heart but all who are served by the system. My record and work ethic on City Council reflects a responsible and professional attitude toward the public and I will bring the same to the Alcosan Board.

Areas that I will address as a board member concern proper management, fiscal responsibility, the on-going emission of stench from the treatment plant that affects not only the North Side residents but other City neighborhoods, and the clean-up stabilization and opening of economic development opportunities in the Saw

**Mill Run Basin.**

Once again, I am pleased to have the opportunity to serve on the Alcosan Board and look forward to my first meeting."

I would like to further add that in serving on the Water and Sewer Authority for four years, I have done that diligently and professionally, many times the Administration did not like my vote on the Water and Sewer Authority and even some members on the authority. But I personally brought, I believe, checks and balances to that authority and I hope to do the same on Alcosan.

I was not an expert on water; I'm not an expert on anything. But I do know that I have a logical mind and I have an open mind and I will go to Alcosan with an open mind and, believe me, I will know Alcosan inside out and backwards in six months. I commit that to all of you and I commit that to the residents of the City of Pittsburgh.

**The Chair:**

I just want to say something. As much as I hate to see you leave, Jeep, and I know you did a good job over there and you were really concerned about the neighborhood I live in that does get all the smell, I'm glad to have you on that board, Jack, because I know when you make a statement you follow up with it. You're a hard worker; you're one of the hardest workers on Council, if not the hardest worker. I know the residents of the 27th Ward, especially Brighton Heights, will be happy that you're on that board.

Is there any further discussion on the motion?

And on the question, "Shall the

motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Woods        |
| Mr. Ferlo      | (Pres't Pro tem) |

AYES 5                NOES 2

(MICHELLE MADOFF AND MR. POLLOCK VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Michelle Madoff:**

On another matter. Mr. President and members of Council, I came by this information in a very strange way. I had a phone call at my home from a woman who didn't want to talk on the telephone. She said, "I have some information for you but we can't talk on the phone." I said, "Can you give me some idea of what it is?" because I thought maybe she was a little flaky. She said, "Well, I have been trying to buy airport bonds." And I don't know if people know this but there were \$550 million worth of bonds that were issued

**Mr. Lyons:**

I think it was \$524 million. They brought them back because they had to reconstruct it.

**Michelle Madoff:**

There were over \$500 million worth of bonds for the airport and they are

paying on bonds as much as 8.2, a little bit more than that for going out for a longer period of time, tax exempt. I had called my brokers to see if I could get any, he put an order in, when the issue was going to be put out. I called to see what it would pay because, if anybody's aware, there's very, very little action in the bond business out there; there's very little tax exempt business today. It's very hard to come by.

So, I said to her, "I think you're mistaken. I wanted to buy \$20,000 and I've had calls from two brokers offering it to me." She said, "My broker must have given me bad information." That's what I thought happened.

Well, the next day I get a call from my own brokerage saying, "I don't think we can give you \$20,000; we can only give you \$15,000." I said, "Why is that?"

I don't want to drag this story out but what happened is that the prime underwriter is a company called Smith-Barney and they are out of New York. Normally, there are two kinds of sales, institutional sales and retail sales. The people who buy the sales, people like ourselves who might have some money or parents who might want to invest for the day they don't have a job and that might, who knows, be in a year and half, I might not have a job, who want to secure their income to be able to live. I thought that 8.2 was a pretty good investment; I took it on a long term. But what I learned was that traditionally, half of the bonds are offered for retail sale. In this instance there were only one-fifth of the bonds offered for retail sale and the primary bond counsel, Smith-Barney, took half of it for themselves. They are out of town; they are not in the City of Pittsburgh.

The point I'm trying to get to, the bottom line, is that all of us are

taxpayers in Allegheny County. All of us are paying the debt service on the bonds on the Allegheny County Airport. Certainly any member of this City who would like to, and has the money, who would like to avail themselves, and I don't want to be treated differently than anybody else because I'm on Council, anybody, anybody in this room who might want to buy \$5,000 or \$2,000 or whatever dollars worth of airport bonds since all people in the County subsidize the debt service should have had the right to buy it.

Well, it turned out that four-fifths went to institutional and most of that went out of the City. And the people who are subsidizing the debt service were not given that opportunity.

I called the other bond people involved. I don't want to go through the number of people, I called the brokerage houses and everybody is furious. All the brokerage houses are furious because they didn't get the bonds to be able to service their own customers or to service new people that might want to go to their brokerage so that the local people could take advantage —

**Mr. Lyons:**

Point of Order. I don't know the issue because it's a County issue to start with.

**Michelle Madoff:**

If you pay attention, you'll learn. Try. Did you know you pay County taxes, Mr. Lyons? Did you know the City is part of the County?

**The Chair:**

Otis, at the end of the meeting you can talk about anything you want. The flies, right?

**Michelle Madoff:**

Just for the record, the City is part of the County and the City pays County taxes. I thought Mr. Lyons didn't know that.

It would have been nice for those people in the County, the City residents in the County and any County residents who help pay the debt service to have the opportunity to partake of this bond issue.

Now, what happens is that if you sell the bonds in a lump sum to institutional buyers, all we have to pay, or the County decision-makers, I believe was \$6 or \$7 in fees, whereas if you sold it to individual purchasers, the fee was \$10. It's a point on a thousand. But there were so many people lined up, this bond was virtually sold out before it even went on the market that there was no reason not to allow individuals to partake of a very rare opportunity to get some income for themselves at a meaningful return. There's no doubt in my mind that given the option, having spoken to three or four of the brokerage companies who did have very, very small supplies of the bond, if they would have been willing to shave their profit, their fee from ten to six, which was the same thing that institutionals got.

I just think it's important to bring this forward because there are people calling me. The woman didn't I bought any. There's an underhanded way that they're dealing with the bonds and they're going out of town and they're going to institutions.

And that gets us back to an issue that some of our Councilmembers have raised repeatedly. Why don't we do business with competent people in our own City who are able to deal with issues? I'm not going to support Russel

Ray and Zappala or any of the other major bond houses. But I really believe that there are other bond houses that are based right here in the City who could have handled this bond issue and who could have made the traditional half of a bond issue available to individuals who might like to have bought some bonds. I don't want to be treated differently from anybody else; I have guilt feelings about having, perhaps, been treated differently, that I got mine and others may not have gotten theirs. I just think it's something we ought to think about in line with comments that are made on this Council by Mr. Coyne and Mr. Wagner and Mr. Ferlo, that we ought to try to keep some of our business with corporations and businesses in the City. Keep our money here.

**Mr. Ferlo:**

On another issue. I'd like support for a letter going from Council to the City Administration regarding the City's salver contract. As you know, there are two tow truck companies that operate in the City; one is Craig Towing and they have the responsibility to take automobiles and vehicles away when there is a fine being imposed or the car has been booted or it's in a no parking zone or what have you. And that's by contract, a bid process. There's a little bit of a different situation regarding the salver contract, and that's currently held by Yurechko Brothers. That's a contract that's not let out to bid and I'm very upset to find that out.

I'm also upset to find out that Council does not approve this contract, this relationship between the Administration and this company. I believe, reading the Home Rule Charter, that we have a responsibility to review and approve all contracts, including the salver contract.

Now, all of a sudden, out of the blue, a business relationship and fraternal relationship to Craig Company, the towing company, all of a sudden starts and sets up a company call Simply Salvage. It's a company that is also going to be competing for the salver contract. There are a lot of political and personal ties that this company has to people in the Administration and I'm concerned about that.

I would like a letter sent out from this Council to the Administration asking that, if there's going to be a bid put out for the salver contract, that it be done throughout the system, that there be a formal letting out of a bid for this contract and not just people selected for reasons unbeknownst to me. I think it should be a bid that's let out. Personally, I would like the City to make money on this deal. If scrap metal is high and there's four or five thousand cars being towed off of City streets year, I'd like to know why we can't turn this into a revenue generating proposition.

But notwithstanding that, I think minimally, anybody who is a legitimate salver and certified as a salver in the State of Pennsylvania should be able to bid on this work if they're going to change horses in mid-stream. It should not be handed, all of a sudden, to somebody. Quite frankly, I don't like the way this smells.

I would like a letter to go out to the Administration asking for a report on this and that, if there's going to be a bid, that it be done publicly and we accept bids through the normal procedure.

**Mr. Wagner** seconded the motion.

**The Chair:**

Let me ask you something before we vote on it. Did you ask anybody in

the Administration about this?

**Mr. Ferlo:**

Yes. I talked to Mr. DiNardo.

**The Chair:**

And what was his response? Share it with us. I know you do your homework before you bring it here.

**Mr. Ferlo:**

The response is that they're thinking about this, that they realize, after talking to me, that maybe this doesn't sit right, and they're thinking about letting out a bid. But I would like to do urge them formally to do that and I think they'll more likely do it and not just sign a sweetheart deal with the Craig interest, Simply Salvage. I would like a letter to go out to that effect.

**The Chair:**

Was there a dollar value on the other contract?

**Mr. Ferlo:**

There's a dollar value on the Craig contract —

**The Chair:**

I know that; that's bid.

**Mr. Ferlo:**

No, there's not a dollar value on the salvage contract. There's monies exchanged and there are financial relationships; there's profit being made. But the Home Rule Charter just says contracts. It doesn't say contracts where City monies are being spent.

**The Chair:**

I'm not debating; I just want to know for my own mind if there was money —

**Mr. Ferlo:**

Yes. This is a lucrative operation.

**Mr. Wagner:**

I agree with Mr. Ferlo. I've had calls to the same regard and there has always been the suspicion that politics is involved in the letting of these contracts. And the more public objectivity that can be brought to it, I think the better off we'll all be. Therefore, I favor what he is suggesting.

WHICH MOTION PREVAILED.

**Mr. Ferlo:**

On a second issue, and this is very quick; this is one of the most important issues facing this City. And that is the restoring of the benches in the lobby of the City County Building.

Mr. Chairman, I've struggled for two months to try to get the benches put back into the lobby of the City County Building. I come in this building very early in the morning and I leave late at night. I'm probably one of the first elected officials to be confronted by loads of people who attack me every morning and try to get me to do something about the fact that the City took out the benches. Personally, I think this Director needs her head examined; that's Director Botsford. What is the logic of taking away the benches that were there? They were perfectly good benches. It's true, the Administration is thinking about buying new benches; fine. Leave the old benches that were there, put them back, and when you get

the new benches you can take the old ones out.

But, Mr. Chairman, I've asked you to do something about this and I'm ready to picket in front of the City County Building. We have people waiting to pay their taxes down there in the lobby; it's a public thoroughfare. People hang out there, they eat at the Doggery, they B.S., they talk politics, they wait to pay their bills or go get their marriage license. They deserve to have a seat.

And as far as those atrocious looking potter plants that are in the building, I'd like to know how much those things cost.

Please, Mr. Chairman, I implore you before I set up a picket line, get those benches put back in the lobby of the City County Building.

**The Chair:**

Can I answer you? They're being refinished. If you recall, and there was a lot of benches there and I guess --

**Mr. Ferlo:**

I was told by people who work in the basement that they are in a closet downstairs.

**The Chair:**

I will check that out. You asked me about it, not only you but I go through the lobby myself and I get hit with the same people you do. When Mayor Caliguiri was there for a day, they removed the benches and that's when they decided to get them refinished. That's what I was told but I'll get back to you.

**Mr. Ferlo:**

Mr. President, your tenure as future President of this body rides on you getting these benches back.

**Mr. Lyons:**

Mr. Chairman, I have another matter I'd like to discuss quickly. Many, many calls are coming all the time. We all know it's in the Code about dogs, especially in the parks, dogs walking the streets off leashes. I have talked to some of the Police Department and they're trying to enforce it, especially in our parks where dogs go in and litter the parks and I think it's come time now to look to see those who have their dogs on leashes and walk them in the parks should have something to clean the waste of the dogs up because it is very offensive to a lot of people and I think it's a problem. I know in Arsenal Park they're already starting to enforce that very rigidly. Certainly I think this should be throughout the City and other places.

**Mr. Wagner:**

Mr. President, if I may add, if the City Clerk is going to look into the time-frame on the benches, which I believe is a good point, please look into the time-frame of putting an American flag on the outside of this building also. I had made a request several months ago to do that. This is a public building and it should have the American flag flying out front every day.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Monday, August 8, 1988

No. 32

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, August 8, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Pollock presents

No. 1265 WHEREAS, a century ago, about 80 percent of those eligible voted in American Presidential elections and in the 20th Century, turnout has

dropped dramatically to about 55 percent; and

WHEREAS, in the 1986 election, voter turnout as a fraction of the adult population was 38 percent, which was the lowest since the wartime election of 1942, and, in states outside the South, it was the lowest since 1798; and

WHEREAS, the United States, the birthplace, beacon and bulwark of modern democracy, today ranks behind almost every other free country in terms of voter participation; and

WHEREAS, the National Lawyers' Council is working to reverse these trends by promoting universal registration through its Voter Action Project; and

WHEREAS, said Project strives to make available, at every government office that makes contact with the general public, voter registration forms; and

WHEREAS, under the plan, local government employees would ask people using their services if they are registered to vote, and the citizens who wish to register, regardless of party affiliation, may do so through the local government; and

WHEREAS, when the City establishes a public registration program, thousands of citizens will be able to more fully exercise their democratic franchise.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh strongly urges the Mayor to immediately issue an Executive Order establishing a voter registration program; and

BE IT FURTHER RESOLVED, that the Council calls upon its fellow City employees to enthusiastically support the implementation of the program in order that the citizens of this City be allowed to share in the government of the people, by the people and for the people.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Pollock:

What I'm hoping will happen is that the Mayor and her staff will work to implement this program. The voter registration ends the first week of October and, hopefully, during the month of September and maybe even the rest of August, voter registration forms will be available at every place of contact that the public has with the City, the Tax Office, different Parks facilities, the Aviary, Buhl Planetarium, with the theory being that as many registration forms out there that are accessible, the more people will register and we can turn around these horrible registration and voter registration and voter turn-out figures. Thank you.

Michelle Madoff:

Mark, I don't think there's a problem with getting the banks or the post offices to cooperate. I think they'll be happy to do it.

The Chair:

I have two resolutions; Mr. Wagner, would you please present them?

Mr. Wagner:

Would Mr. David Carver please come up?

The Chair presents

No. 1266 WHEREAS, through the vision and determination of Outreach Coordinator Dave Carver, an abandoned building in Crafton Heights has transformed into a vibrant Community Center called The Open Door, with programs and activities for persons of all ages; and

WHEREAS, under Dave Carver's inspired direction, this Center has become a community focal point where young people can gather for recreation and fellowship, confident that in Dave Carver and his staff of volunteers they will always find love and acceptance; and

WHEREAS, the influence of Dave Carver upon the community and all who have known him has been incalculable.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, August 6, 1988 as "Dave Carver Day" in the Crafton Heights area of the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Wagner:

We congratulate you, Dave. I know



this was presented earlier and maybe Councilman Woods wants us to do the same.

**Mr. Carver:**

It is with mixed emotions that I'm here because, as my friends from Crafton Heights know, I'm leaving Pittsburgh in about a week and a half to go to Rochester, New York. My wife and I will be moving. We have grown to adopt and love Pittsburgh very much and we'll consider this our home.

Thank you so much for this honor and the privileges you have granted me over the past six years.

**The Chair presents**

No. 1267 WHEREAS, in August 1949, a recreation facility known as Spring Garden Parklet was created at 1132 Spring Garden Avenue through the cooperation and concern of neighborhood residents inspired by the commitment of Leona Catalano; and

WHEREAS, also in 1949, the citizens of Spring Garden succeeded in raising sufficient funds to erect, on the Spring Garden Parklet site, two monuments dedicated to veterans of World War II; and

WHEREAS, for nearly 40 years, citizen Leona Catalano has faithfully decorated the monuments at the Spring Garden Parklet with flowers and American flags in appreciation of the patriotic sacrifices of Spring Garden residents who have gallantly served in America's armed forces; and

WHEREAS, Leona Catalano, through her love of children and love of country, continues to be Spring Garden's finest example that confirms that progress comes through patriotism.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby join the Spring Garden Neighborhood Council and its constituency, in the month of August 1988, upon the completion of a newly renovated facility at 1132 Spring Garden Avenue, in designating the new facility as "Catalano Park", in tribute to Leona Catalano's exemplary devotion towards preserving the spirit of America.

**Mr. Wagner** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Tom Lauffenburger:**

Thank you Council President Woods and members of Council. In the scheme of things with all of the development projects that are occurring in Pittsburgh over the past few years contributing to Pittsburgh's revitalization, it may seem that the renovation of one parklet in one neighborhood is a small project. But to us in Spring Garden, particularly since before 1980, we didn't see any investment from the City to speak of in our neighborhood and since 1980, with the help of our friends on City Council and the Administration of the late Mayor Richard Caliguiri, we've seen a lot happening in Spring Garden.

This is really a big moment for us, to have this parklet renovated, and we wanted to say thank you in a big way. So, we asked the children at Spring Garden School to make this thank you card. We have Barbara Miller and Jonathan Miller here to help present it. The card was supposed to say, "Thank you, Mayor Caliguiri and City Council, for our new playground" but the art department at Spring Garden School got

a little carried away so some of the wording got lost. But the sentiment is still there and it is really with genuine gratitude that the people of Spring Garden, and particularly the children of Spring Garden, present this thank you to members of City Council, to the late Mayor Richard Caliguiri whose Administration made the commitment to renovate the parklet, and to the current Mayor, Sophie Masloff, who chaired the Parks and Recreation Committee when that commitment was made. We thank you.

**Mr. Coyne presented**

No. 1245 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$24,421.06 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way; and providing for the payment thereof, charging the same to Code Account EC 88-24, Index Code No. 305219. Prior approval granted by Council February 15, 1988.

Which was read and referred to the Committee on Finance.

Also,

No. 1246 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the T-1 Ramp at the Stadium between Reedsdale and Ridge Avenues; and providing for the payment of the cost thereof, not to exceed \$80,000.00, chargeable to and payable from Code Account EC 88-19, 4-13-10-0220-88, Index Code No. 353557.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 1247 Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by transferring Code Account PW 86-13, Oranmore and Brintell, to the 1987 Capital Budget and adjusting the Summary Totals.

Which was read and referred to the Committee on Public Works.

Also,

No. 1248 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Swank Associated Companies, Inc., in the amount of Four Thousand Four Hundred Forty Six Dollars and Forty Four Cents (\$4,446.44), in payment for the cost incurred due to the City's decision to accommodate the residents on Beechwood Boulevard dealing with the milling operations on Sunday, August 9, 1987, without previous authority of law, chargeable to and payable from Code Account PW 88-01, 4-01-01-0001-88, Citywide Resurfacing Program, Index Code 305714.

Which was read and referred to the Committee on Finance.

Also,

No. 1249 Resolution repealing Resolution No. 443, effective June 16, 1988, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at Oranmore and Brintell, and providing for the payment of the cost not to exceed \$450,000.00, payable from Code

Account No. PW 86-13.

Also,

No. 1250 Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled, "Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program," by increasing a line item and by adjusting the Summary Totals.

Also,

No. 1251 Resolution amending Resolution No. 97, effective February 16, 1987, entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof," by increasing the total allocation by \$450,000.00. Total cost not to exceed \$1,000,000.00, payable from PW 87-02, Concrete Slab Replacement Program.

Also,

No. 1252 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City at a cost not to exceed Thirty Five Thousand Five Hundred Thirty Three (\$35,533.00) Dollars, chargeable to and payable from Code Account PW 86-05, 4-01-10-0015-86, Index Code 306829, Street Lights Transfer.

Also,

No. 1253 Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled, "Resolution adopting and approving the 1988 Capital Budget and the 1988

Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing a line item and by adjusting the Summary Totals.

Also,

No. 1254 Resolution amending Resolution No. 175, effective March 30, 1988, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recuring and other work incidental thereto; and providing for the payment of the costs thereof," by increasing the total allocation by \$100,000.00, chargeable to and payable from Code Account PW 88-01, 4-01-01-0001-88, Index Code 305714, Citywide Resurfacing Program.

Also,

No. 1255 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh; at a cost not to exceed Fifty Two Thousand Eight Hundred Thirty One Dollars and Seventy One Cents (\$52,831.71), chargeable to and payable from the following Code Accounts: PW 86-08, 4-01-10-0005-86, Index Code 306720, \$2,831.71, Street Lighting Throughout the City; PW 87-09, 4-01-10-0005-87, Index Code 306738, \$50,000.00, Street Lighting Throughout the City; Total - \$52,831.71.

Which were severally read and referred to the Committee on Public Works.

Mr. Lyons presented

No. 1256 Resolution providing for

execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to receive funds from the Authority to fund Community Development Corporations; providing for the creation of a special trust fund in connection therewith; and providing for the deposit of the funds in the trust fund.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1257 Resolution providing for an Agreement or Agreements with the Homewood Brushton Stinger Athletic Club for professional services in connection with their Football Program, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838, Miscellaneous Services (183806), in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**The Chair presents**

No. 1258 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlements of Claims not exceeding \$750.00, for the Second Quarter of 1988, payable from Code Account No. 1081, Petty Claims. Also, submitting a report summarizing settlements of Claims in excess of \$750.00, for the Second Quarter of 1988, payable from Code Account No. 46, Judgments.

Also,

No. 1259 Communication from Norbert C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority,

submitting a list of the Authority personnel as of June 30, 1988.

Also,

No. 1260 Petition from the residents of the City of Pittsburgh, requesting a public hearing to express their opposition to the expansion of the residency permit parking area around the Carnegie-Mellon campus. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which were severally read, received and filed.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

**UNFINISHED BUSINESS**

**The Chair:**

I'd like to have a motion to untangle Bill No. 1092.

Mr. Lyons:

So moved.

Mr. Pollock seconded the motion.

**The Chair presents**

No. 1092 Resolution providing for a contract or contracts or the use of existing contracts for miscellaneous renovations of various Public Safety facilities and providing for the payment of the cost thereof, cost not to exceed

\$60,468.00.

Which was read.

**Michelle Madoff:**

Point of order. Mr. President, I think it's terribly important that while we've made some tremendous improvements in our agenda where we list what the item is for. For example, if we're having a lot go up for sale, we're saying it's a side lot or a lot that can be built on or it has a lot of problems, so that we know what we're voting on and we don't have to take up a lot of everybody's time. On this bill you just untabled, it says Code Account; I don't know what code account it's coming out of. I don't memorize all the initials or all the letters; I don't think anybody here has.

In the future for the coming year, could we please have the department heads notified that any code account monies are being moved to or from, would indicate what it is. Not only is it in Engineering and Construction, but what aspect of Engineering and Construction. What's LB? Liquor Control Board? I don't know.

**The Chair:**

You're point is well taken, Michelle, but please, we're going to have to put out what a point of order is and I'm not getting on you; everyone uses it. Some things like that should be brought up at the end of the meeting but your point is well taken.

**Michelle Madoff:**

I believe it was appropriate on the bill.

**Mr. Ferlo:**

I voted no in the Committee and I'll vote no today. My objection, basically, is the following: We approved a week or so ago a very unique agreement between the Administration and the Plumbers' Union. This is, to me, a very important illustration of something that I think the City should do more of, and that is the direct hiring of tradespeople from the local union hall to complete activities which I think could be carried out. An example to me also would be this bill. Limited types of renovations work, masonry was mentioned in the original bill. I think I'd like to see Engineering and Construction and the Administration consider using a similar model as they did in the example of the local union plumbers being hired to do the work.

On the installation of water meters, I think this is another example whereby the same type of arrangement could be worked out instead of having the additional cost by going out on contracts.

So, on that basis, I'm voting no on this legislation.

**Mr. Ferlo:**

Mr. Chairman, I'd like my comments brought forward on this bill.

**Mr. Lyons:**

Mr. President, I'd like my remarks brought forward also. They were not exactly on the bill but compatible to the bill. What about the retrofitting of the No. 51 Fire House on Troy Hill that we passed earlier this year and it has not been retrofitted? Therefore, I want those remarks brought forward to accompany this bill.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MESSRS. LYONS AND FERLO'S COMMENTS ON BILL NO.  
1092 - WEDNESDAY, JULY 27, 1988)

Mr. Lyons:

Mr. Chairman, as I see this, we still have a bill that hasn't been taken care of and we are still piling fire stations and police stations to be refurbished when we don't have--nothing has ever been done and the Council passed on Troy Hill on Fire House No. 51 on the Troy Hill and I'm interested in that. Not that I wouldn't vote for that but why hasn't the Troy Hill Station been taken care of, Mr. Director, and we're still adding fire stations and police stations for refurbishing?

The Chair:

Director, is that part of this legislation?

Dir. McDermott:

No, it's not. That question would have to go to the user department.

Mr. Ferlo:

I'm also voting no on this probably because of that reason but again I draw to the illustration. This is an exact illustration of the potential for local union labor to do this work in a very similar scheme. We're going to hire a contractor, probably most likely it's non-union labor, most of them do not live in the city. This is an excellent example, an illustration, whereby we could use a similar method that we just voted on with the union plumbers. Now we can't do that on many things, massive construction projects, maybe massive bridges, God knows what but on this type of an activity, the masonry and the pointing and the concrete aprons, waterproof ceiling, this is an exact illustration of the ability to use local union labor, city residents, at a cost that would be cheaper and would have more impact at keeping the dollars in the city. So on that basis I'm voting no on this legislation.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Michelle Madoff:**

Mr. President, as you know, the architect of the concept that Mr. Ferlo is referring to on the water meters was really originated with Mr. Sciulli and I worked with him on developing that process. I think it's an excellent one and I think Mr. Ferlo is absolutely correct that we ought to extend it to every area of construction and development in the City where we can use people in the manner that saves the City so much dollars. However, I think it would be imprudent to delay this bill at this point by making an example. I think if Mr. Ferlo wants to make a protest vote, and I've often done that, I see nothing wrong with that; I think you get the message across. But I don't think we can afford to hold up the legislation.

**Mr. Coyne:**

Mr. Chairman, this is once again a demonstration of the Administration going out for contracts without letting Council know who the contract is going to and also the advertising of the price prior to the work being done. Therefore, I can't vote for this bill.

**Mr. Ferlo:**

In response to my colleague, Michelle, this is not a protest vote. I'm voting no because I'm opposed to the legislation. My comments are very clear. I'd like not to see this legislation pass; I'd like to see it come back in a different format. It's not a protest; it's a very clear succinct statement and I'm voting no. Period.

**Mr. Lyons:**

Mr. Chairman, I think the bill in itself is abstract. It's not absolute. We don't know what it is, where it is, who is going to do the work, how much is the

work worth. There's a lot of factors here to be determined. We have said that this is what we'll give; it might only be \$5,000. Therefore, I think the bill should be reconstructed and brought back to Council.

**Michelle Madoff:**

I owe an apology to the President of Council and my colleague. I was on another bill. I'm sorry.

I would find it very enlightening if somebody would tell me what this gibberish is. This bill that I just picked up does not say anything. I had the bills confused with another bill, something that couldn't wait. I thought it was on the medical testing. I'm sorry.

**The Chair:**

In response to all of you, everybody here gets a copy of the cover letter. I would ask you to vote for this bill. If you read your cover letter, and you had them in your offices some time ago, it's for the No. 4 Police Station and 14 Fire Station, No. 21 Fire Station, No. 19 Fire Station, and 28 Fire Station. That's what's going to be rehabilitated; that's where this money is going. I would urge you people, the construction season is here. By the time we went out and hired -- I'm a local unionist; I still carry a card from the sheet metal workers. By the time you contacted them, set up an agreement, have people come in and do this, we'd be here next year.

I urge you, please, to vote for this bill. This cover letter was given out some time ago; you all had it. We just didn't have enough people here to vote in favor of this bill some weeks ago when we were absent some members. That's why the bill was tabled. Now we have enough people here and I urge you to vote for this bill.

**Michelle Madoff:**

On the bill. Mr. President, the reason I asked you to clarify is when you read this —

**The Chair:**

I understand. You don't have your cover letter in front of you today because the bill was tabled. I apologize.

**Michelle Madoff:**

Don't apologize; it's not necessary. I'm making the point that practically from the day I got on this Council ten years ago, I learned very rapidly to get copies of all the bills. As Mr. Perry will tell you, those bills are given to me every week, ten days in advance, so that I can look at not only my bills but everybody else's bills. And I still maintain that the point that you're making, sir, that if we don't move quickly we're going to lose the building season is the same position that Mr. McDermott has used to stampede this Council into doing things and voting on bills that are giveaways. How do we know that the work can't be done for under \$60,000? How do we know we can't save any money? And more important to the point that you raised, Mr. Woods, is this work that has to be done outside? Is it all work that has to be done outside? Are we going to have such inclement weather that we can't work in the Fall to do the roofs, and some of it is internal work, I believe. I can't tell from this what the exact work is.

**The Chair:**

You know, we all discussed this some time ago. Let me tell you when this bill was discussed — July 12th. Right now it's August 8th. No one is rushing anything through. It's been to this

Council for over a month. In fact, the reason it wasn't passed is that this Council did not have enough bills here to vote on the bill. Please understand that. This bill was here for a month.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
| Mr. Pollock    | (Pres't Pro tem) |

AYES 5                      NOES 3

(MR. COYNE, MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo:**

On another issue. Mr. Chairman, some time ago you participated in a meeting on behalf of Council in relation to the issue of the firetrucks and the tillers. You reported on the initial meeting and I believe there was a second meeting on the 18th of July. I know I was away that week.

At some point, I would like Council to receive from you a report updating the current situation. I believe currently there is some report that the Pierce Company will be giving the Administration and Council regarding possibly the redesign of these vehicles. Or they may be other activities going on; I don't know. But at some point I'd like to have Council receive a report from



you.

**The Chair:**

There are, and since Mr. DePasquale is the Chairman of Public Safety, he has attended the last two meetings, I believe. So, he can fill us in whenever.

**Mr. Ferlo:**

Maybe after Labor Day could we get those formal reports?

**The Chair:**

Okay, the meeting after Labor Day we'll have the report for you.

**Mr. Ferlo:**

Could the clerk please note that after Labor Day we'll receive a report from Public Safety on this issue.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1261

Report of the Committee on Finance for August 3, 1988 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1116

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and

tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, other candidates for employment and promotion; and employees and providing for payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bills 1116 and 1117, both bills relate to the medical testing and psychological testing for firefighters, police, paramedics, etc. Every year, when we get to the bill on psychological testing, as you know, we have a great deal of dialogue. I'd like to, first of all, address 1116. I've been associated with the medical community for over 20 some years, very closely associated. And I will tell you that I was very instrumental in bringing to the City people who felt that they would like to share in some of the testing and sent them to Melanie Smith. She met with them and made her own decision; I had no input whatsoever as to what should happen and who should be doing the testing and what method. It was decided about four or five years ago that all the testing should not go to Central Medical Pavillion, that indeed many other hospitals were testing, particularly on stress test and blood tests and the routine tests could be done in other hospitals. It seems to me that for some obscure reason we have narrowed that testing down to I think perhaps only one facility. And I don't have a problem with that if it's one facility that can do the job. But I've asked Ms. Smith to please make available to me those hospitals that were contacted, some of them are not hospitals, I think they are rehabilitation centers or testing areas where they do this kind of work in labs that are not necessarily right in the

hospital. As a matter of fact, I think the ones we're using are not in a hospital.

I have not had that yet and I have not had a chance to check with the various hospitals to see if indeed they would not be competitive in the price and so I feel I must abstain on 1116.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES 1

(MR. FERLO VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1117

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation study of psychological background testing and the administration, preparation, evaluation and research of Civil Service entrance

and promotional examinations; and providing for payment of the cost thereof."

Which was read.

**Mr. Wagner** moved to recommit Bill No. 1117.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 1132

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casciato Brothers in the amount of \$2,700.00 in payment of an Emergency Contract for the demolition of property at 26 Montana Street, 26th Ward, City of Pittsburgh; and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

I'd like my remarks brought forward on Bill 1132.

(REMARKS ON FOLLOWING PAGES)

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(MICHELLE MADOFF'S COMMENTS ON BILL NO. 1132-Wednesday, 8-3-88)

Michelle Madoff:

Discussion. Mr. Pellegrini, please. I have a letter signed by Director Pellegrini.

Mr. Pellegrini:

What did I sign? What is this on?

Michelle Madoff:

Interim approval, I believe this is an interim approval.

Mr. Pellegrini:

Can I have a copy of the letter?

Michelle Madoff:

I think it is a pro forma letter that you sign automatically, emergency contract demolition of property on Montana Street.

Mr. Reginella, this is for a demolition job that has to do with the Water and Sewer Authority on Montana street, you needed to have the access or -- it had to do with the reservoir site?

Mr. Reginella:

That is correct, right.

Michelle Madoff:

How many letter bids went out?

Mr. Reginella:

This was not handled in the usual bidding process.

Michelle Madoff:

Why not?

Mr. Reginella:

Because the magnitude of the work involved and the magnitude of the costs to perform the work are such that it just doesn't warrant the usual bidding process.

Michelle Madoff:

Explain that to me.

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Mr. Reginella:

The cost was only \$2,700.00.

Michelle Madoff:

It was only how much money?

Mr. Reginella:

\$2,700.00.

Michelle Madoff:

Only \$2,700.00?

Mr. Reginella:

If we were to process this in the usual manner, it would consume much more money just in human resources to get it through the bidding cycle.

Michelle Madoff:

It seems to me that I went through this routine before my new colleagues got here because there were people frozen out of the process. The process was changed so that within 20 minutes people who are capable of doing this could be called by telephone, there was a rotating list so that people who were frozen out of the process would have the opportunity to bid. This was a non-bid.

I have nothing against Casciato Brothers, I would like to know how many contracts they got.

Mr. Reginella:

Three firms were contacted to quote a price.

Michelle Madoff:

It was done by telephone?

Mr. Reginella:

That, I don't know. It was done by the Bureau of Building Inspection, which is traditionally the way we handle this.

Michelle Madoff:

How long in advance did you know you were going to need the services and demolition of this property?

Mr. Reginella:

We have known that for sometime. However, we were marred in negotiations with the property owners, and until we were able to

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acquire the property, we couldn't very well proceed with the --

Michelle Madoff:

How fast after you acquired the property did you proceed?

Mr. Reginella:

Almost immediately.

Michelle Madoff:

You knew you were going to need that property demolished. And I would like to know, before I vote on this, who the actual people were that were offered the opportunity to demolish this property.

Mr. Reginella:

Three.

Michelle Madoff:

I would like to know who they people,, I want to talk to them.

Mr. Reginella:

One, of course, was Casciato Brothers, the other one is Surf Way, the third one I can't recall.

Michelle Madoff:

I think there was certainly sufficient time to go out on bid. You say it is only \$2,700.00. I don't know whether it couldn't be done for \$900.00. It is a house. I know that we have fire stations that can be done for \$14,000.00 that we pay \$70,000.00 for.

Mr. Pellegrini:

In the overall scheme of this contract, you are probably talking, what, these two contracts for \$4 million?

Michelle Madoff:

I am not interested in the scheme of the contract, I am interested in who got the bid and why they got the bid and what preferential treatment was used, if any.

Mr. Pellegrini:

Let me tell you, we have an obligation to deliver this site. If we don't deliver the site to a contractor, we may be liable for damages. So what I am trying say is in the scheme of things, if somebody would get out there and so we don't delay

the \$5 million contract, sometimes it is worth, I mean, if it is \$200.00 more because we only sent it to three bidders rather than 30 bidders, in the overall scheme of things you are saving money.

Michelle Madoff:

There are so many people in this business that are hurting, that need money, that would be available for you within a few minutes. I got on to that contract on the North Side fire station because every demolition guy in town called me to say, "What are you doing with a \$70,000.00 bid when we offered to take it down for \$14,900.00, or whatever." I don't know that it is the right number, I don't know that ten other people couldn't have done it. I want to know the selection process. There was plenty of time not to have -- this is billed, for the people watching, as a Wallace Act, as an emergency. I think it was about as much of an emergency as a juror sitting in the desert right now. This is nonsense, this is business as usual.

Mr. Reginella:

May I point out that of the three bids that were solicited, the low one, obviously, was for \$2,700.00, the next one was \$2,930.00, and the third one was for \$3,000.00. So they were right there within 200 of one another.

Michelle Madoff:

I bet if you put it out and said -- how much did you put out, not to exceed what?

Mr. Reginella:

And spend several times that amount in human resources just to solicit that bid?

Michelle Madoff:

What was the not to exceed figure?

Mr. Pellegrini:

On letter bids it is \$5,000.00, not to exceed \$5,000.00.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1133

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal I, Administration, Chapter 213, Investment and Disinvestment by adding Section 213.05 Northern Ireland Investments."

Which was read.

Also,

Bill No. 1134

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, by adding to the requirements for the qualification of banks and lending institutions which desire to qualify as depositories of City monies."-(SPONSORED BY MR. COYNE)

Which was read.

**Mr. Coyne:**

Mr. Chairman, I would like to amend Bills 1133 and 1134 by adding Section 2 which would be entitled, "The Identification of Companies" and would read as follows: "The United States Companies, their subsidiaries or affiliates, operating in Northern Ireland, shall be identified by a cumulative reference so the documents and directories of U.S. corporations in Ireland comply by the Investor Responsibility Research Center and to relevant publications by the United States Department of Commerce."

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Mr. President, I would like my comments brought forward on Bills 1133 and 1134.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S COMMENTS ON BILL NOS. 1133 and 1134-Wednesday  
8-3-88)

Mr. Ferlo:

I just want to say, Mr. Chairman, I support this legislation, but I do want to note, however, that in the past, since January 4th, there have been a variety of other bills that have come up in relation to South Africa, as well as, by way of example, bills regarding foreign policy debates that are in the Congress, most notably the issue of Central America, U.S. involvement there, issues of how much money we spend in the military budget verses what we need locally.

I only want to state that in support of this legislation, to my colleague Mr. Coyne and others, that there have been statements made in the past that foreign policy is not something that is important or should be debated or reviewed at this table. Clearly Mr. Coyne is taking a precedent setting step here in this legislation. I want to support him on the legislation, but let's be clear in the future that let's not make blanket statements to that effect, that oftentimes there are matters that come to this table, whether they be international policy, foreign policy, federal government priorities, what have you, that are very dear to our hearts and very important to citizens in the City of Pittsburgh; this certainly is, I think the South Africa situation is. And I hope that we will be mutually supportive in the future on some of these pieces of legislation.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)



**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, .

Bill No. 1150

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl G. Lindquist, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, Pennsylvania 15216, in the amount of One Thousand Seven Hundred Forty-Two Dollars and Eight Cents (\$1,742.08), for payment for the purchase of photographs for use by the Press Secretary and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7      NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1151

A Resolution entitled, "Resolution authorizing the Mayor and the Chief Magistrate of the City of Pittsburgh to enter into a Merchant Agreement or Agreements with Equibank for implementation of a Visa/Mastercard Payment Program to be instituted at the City Towpound and providing for the payment of applicable membership fees, discount fees, machine rental fees, and any other applicable fees and further providing for the guaranteed payment to the City of Pittsburgh by Equibank of all credit card transactions, subject to, and conditioned upon, the annual appropriations at a cost not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), chargeable to and payable from Code Account No. 1023, Miscellaneous Services, Magistrate Court, Index Code No. 102301."

Which was read.

**Mr. Ferlo:**

On Bill 1151, in relation to the Visa/Mastercard Payment Program for

the City Towpound, what we're talking about initially as a pilot project does not involve very much money with the Equibank as a financial institution. However, if this is viewed as maybe it should be as the opening for the process by which people in the future would pay for fines and other types of payments to the City with a credit card, then we're talking about a lot of money. I mean, we collect annually about \$5 million in fines and tow fees and forfeitures. And at that point we're talking about a substantial amount of money that would be made by whatever financial institution we deal with.

I'm voting in favor of this legislation today. However, in the future, if it is contemplated by the Administration to expand this program for all of the monies received and because of the nature of that amount of money, I think it should be something that should be either competitively bid or at least competitively negotiated with whatever financial institution ends up with this contract.

So, I'm voting in favor of the legislation today with that proviso.

**Mr. Lyons:**

On Bill 1151, I think it's already in there on competition and competitiveness, because they have gone from bank to bank with the visa and Equibank was the only place that would agree to what the City wants, where they can't stop payment or anything. Joan Melvil, the Chief Magistrate, I think has done a great job in the competitive world in getting about what the City wants here, that we endorse the payment where, if they give their credit card, they cannot stop payment on it. It's guaranteed. And this was the only bank, it was pointed out at our last meeting, that would do this.

**Mr. Wagner:**

I'd like my comments brought forward on Bill 1151, please.

(MR. WAGNER'S REMARKS ON BILL NO. 1151 - WEDNESDAY - 8/3/88)

**Mr. Wagner:**

I have one comment. I know we have received a lot of complaints about people going there to make payment and not able to, and I compliment you because this is a response to many City residents and non-residents and a complaint that they have had historically.

(END OF REMARKS)

Also,

Bill No. 1184

A Resolution entitled, "Resolution transferring the amount of Sixty Thousand (\$60,000.00) Dollars, from Code Account 1545, Street Lighting, Index Code 161000, both accounts within the Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mr. Woods       |

(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1213

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 309 of the Home Rule Charter to provide for a vacancy in the Office of City Council." (AS AMENDED)

Which was read.

**Mr. Wagner:**

I move to recommit Bill No. 1213 and refer to the President to set a public hearing.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 1214

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 206 of the Home Rule Charter to provide for a vacancy in the Office of the Mayor." (AS AMENDED)

Which was read.

**Mr. Wagner:**

I move to recommit Bill No. 1214 and refer to a public hearing. Prior to that, I would like to make a motion to amend the bill by deleting item letter A in the first paragraph; and delete the words, "if it occurs within the first three years of the Mayor's term"; and, in the second paragraph, delete the words, "members will" and insert "shall"; and delete paragraph B.

**Mr. Ferlo:**

Point of order, Mr. Chairman. Procedurally in the past, we have made amendments in the Committee on Session on Wednesdays. I have no problem with this but if we're going to do it on this bill, then we're going to do it on others in the future. So what is the decision of the Chair?

**The Chair:**

I would ask my colleague not to amend these; amend them Wednesday and that will be in the final action.

**Mr. Wagner:**

Mr. President, if I may. The amendment are in writing. All members of Council have a copy of the amendments. It is within the Rules of Council to make an amendment at either meeting and the purpose for amending it now is to put it in the state which I think it should be in.

**The Chair:**

Alright. Is there a second?

**Michelle Madoff** seconded the motion.

**Mr. Ferlo:**

I want to remind the Chair that

when things are in writing the Chair will call the question on amendments. Thank you.

**The Chair:**

All those in favor of the amendment? Opposed?

**Mr. Pollock:**

Opposed.

WHICH MOTION PREVAILED.

**Mr. Wagner:**

Mr. President, I move to recommit Bill No. 1214 and refer to the President to set a public hearing.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Point of Order. Will we get the corrected copies by Wednesday?

**The Chair:**

You'll get them today.

**Mr. Ferlo:**

Mr. Chairman, is it the intent of the Council President to hold a public hearing expeditiously or after Labor Day?

**The Chair:**

Very fast. But to be honest with you, I think your point of procedure asking me when I'm going to set it is out of order at this time. If you want to ask me and discuss it when we go through our regular business, I'll be glad to answer you.

Also, with an affirmative recommendation,

Bill No. 1215

A Resolution entitled, "Resolution amending Resolution No. 191, effective April 7, 1988, entitled, 'Providing for the issuance of warrants in the aggregate amount not to exceed \$22,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1988 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission and providing for the payments thereof,' by increasing the amount of Resolution No. 191."

Which was read.

**Mr. Ferlo:**

On Bill 1215, I'm going to vote in favor of that. We did hear a vote from Director Smith that evening tests will be given in Personnel and Civil Service, legislation for the proctoring that we're approving. And on that basis, I'm in favor of that. Clearly, there are working people that hold jobs; I think more people would more likely take part in the Civil Service exam if the meetings were held on the weekend or in the evening. And I think we should afford people the opportunity to do that.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1262

Report of the Committee on Planning, Housing and Development for August 3, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1144

A Resolution entitled, "Resolution authorizing the filing of an application or applications for financial assistance for improvements associated with the Stadium Renewal Project by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania."

Which was read.

**Mr. Ferlo:**

I just want to make the observation, Mr. President, that on Bill 1144 Director Lurcott was not available to discuss this bill at the Wednesday Committee Session. He was also not available to discuss Bill 1145, both of

which I have legitimate concerns and questions about.

In relation to Bill 1144, part of the discussion I wanted to engage with the Director prior to approving this is at what point do we decide what needs to be done relative to the Buhl project? Regardless of the litigation, have we entered a phase now whereby the litigation presents a timetable that is now unacceptable and is it the thought of the Administration, if they cannot resolve some agreement regarding Buhl, to possibly relocate this center somewhere else.

Part of the discussion I'm confused about is we're asking for approval to receive funds from the State government but it's not clear, to me at least, what our intention is regarding the Buhl project. And I think before voting on this bill, or at some point, we are owed an explanation from the Administration and/or Director Lurcott in particular regarding this issue. At some point, we should decide it's not worth the litigation or it's not worth the timetable to delay construction any further. It makes no sense to me for us to make the public improvement, the infrastructural changes that are needed in the North Shore area if that's not going to be the location. And it would be logical to discuss those points on this bill, 1144. So, I'm voting no on the legislation for that reason.

**Mr. Lyons:**

On Bill 1144, I have gone as a request, and given everyone a synopsis from the Assistant Director on the money for the Buhl Planetarium which is only an application to receive the \$2.5 million. It's not scratched or etched in stone that they'll get the \$2 million; it's an application requesting the \$2 million. Certainly, I don't think we are

prophets here and it's pointed out that if the money is secured, then we'll deal with it as we cross that bridge. It will be back to Council.

**Mr. DePasquale:**

Mr. President, in regards to Bill No. 1144, I maintained at the outset that the location of the Buhl Science Center next to the Three Rivers Stadium was insane. Not only that it didn't belong there, especially with the parking situation where we're going to lose 1000 parking spaces, and now we have the parking lot operator saying that he's going into court, and he's serious about this, and it may be four or five years before that matter can be straightened out. Now is the time to look to relocate the Buhl Science Center. It's not etched in stone that it has to be on the North Side; I understand the situation over there and I appreciate that. But there's no law that says that the Buhl Science Center has to be on the North Side.

If we're talking about locations, maybe over by the Convention Center. We even have a developer, I understand, who is willing to give property to the City of Pittsburgh and it won't cost us anything to relocate that Science Center.

Why we're determined to go ahead with all that aggravation we're going to have --

**Mr. Lyons:**

Mr. Chairman, I ask for courtesy from the Chair that we don't waste any further time on this bill. I move to recommit it.

**Mr. Ferlo:**

Mr. Chairman, we're not wasting time; we're debating legislation.

**Mr. Lyons:**

I move to recommit this bill.

**Mr. Coyne:**

Mr. Lyons, I don't think you need to recommit this bill. As you stated before, I think it's very clear that this is only an application for funds. This isn't the actual spending of the money and you provide an adequate report with the paper you gave us this morning. I don't see any need to recommit this.

**Mr. Lyons:**

I didn't get a second for it so let it go. I withdraw that motion; now put it to a vote.

**The Chair:**

He doesn't want to recommit the bill. Is there any further discussion?

**Mr. Ferlo:**

Mr. Chairman, one of the constraints that we have on Council, unfortunately or otherwise, is to only engage in dialogue with the Administration formally and publicly when bills come before us in the Committee Session. This is not being disagreeable for the sake of being disagreeable. I feel I have legitimate concerns; Mr. DePasquale shares some of those concerns about the Buhl Science Project. The only time that we actively have to discuss these issues with the Administration is in the format of the Committee Sessions on Wednesday. Director Lurcott was not there. I read the memo from Assistant Director Jane Downing; she makes some very good points but it does not address the issues that, frankly, I wanted to discuss.

At this time I would like to make a



done traffic studies either in house or they've been bid out and we have entertained the contract. We have been asked for an intermediate party on this side to counsel, to do that. There may be good reasons for that to happen, but I think it's legitimate to question these bills and part of the Wednesday's sessions is to interact and engage in discussion with department directors.

**Mr. Lyons:**

Mr. President, I don't think we need to waste any further time on 1145. I move to recommit that so it will be discussed on Wednesday.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

Bill No. 1185

A Resolution entitled, "Resolution amending Resolution No. 269, approved March 23, 1987, entitled, 'Providing for the implementation of a Residential Permit Parking Program in portions of the Squirrel Hill-CMU community pursuant to Pittsburgh Code, Chapter 549, so as to amend the streets included in Area K.'"

Which was read.

**Mr. Lyons:**

I move that Bill No. 1185 be recommitted and as expediently as possible there be a public hearing set.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

#### **The Chair:**

Let me interject something. Please, let's all come back down to the meeting; quit interrupting each other, if you would, please. We only have one more week until we get two and a half weeks off. If we could just stand it for one more week, I'm sure when we come back everyone will be happy and we'll be able to work together again. Would you please do that for me? Thank you.

**Mr. Woods presented**

Bill No. 1263

Report of the Committee on Parks and Recreation for August 3, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1076

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 987, approved December 4, 1987 entitled, 'Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs' by providing for scheduled fees only for the year 1988." —  
(SPONSORED BY MR. WOODS)

Which was read.

**Mr. Ferlo:**

On Bill 1076, I just want to make it clear that I'm supporting this legislation; it's been a consistent vote on my part since I got here January 4th.

I am not fundamentally opposed to



the Administration initiating user fees, in principal. The problem I have is that I'm opposed to user fees, given the fact that I think we've approved expenditures and have wasted money in the City budget since January 4th. I don't see it as a last resort and I think that's what should happen when we impose a swimming tax on families and children in this City. If the Administration pursues their logic we'll have not only user fees on swimming pools but we'll shortly have user fees on garbage collection; when a paramedic shows up at your house we're going to have a user fee. We're going to have a user fee if a firetruck shows up at the house. I don't think we're at that point yet in the City budget, quite frankly, and before I ever support user fees in the form of swimming pool tax I would suggest that we have to get our house in order in terms of some of the other appropriations which I don't think have best expended the tax dollar that we've been entrusted with. So, I'm really opposed to it; it's been my position right from the beginning.

In addition to that have been the obvious Administrative nightmares that have ensued as a result of the implementation of the tag system.

So, for all those reasons, I hope we vote in support of the legislation and if there needs to be the imposition of user fees, let it be part of the annual debate that we have with the Administration when we discuss the budget.

I'll say to the Administration and to the public today, if a plan is presented by the Administration for imposition of user fees and it is tied to and in conjunction with the lowering of the four percent wage tax, then I would be sympathetic and I would like to engage in that dialogue and debate with the Administration. But until that happens, I'm not in favor of the swimming tax.

#### **Michelle Madoff:**

I'm afraid I'm going to take some time. This is a very debilitating bill.

I would like to read from a letter that I wrote to Mayor Caliguiri, dated June 2, 1987. That was after the election, I believe. Somebody made some comments that we voted some way before the election.

"June 2, 1987

Dear Dick,

I've spoken to Louise Brown who indicates it is conceivable to provide a mechanism for indigent residents to receive a pool pass, proof of need, i.e. welfare card, etc. It is important that these passes be the same as those purchased so no child or adult is stigmatized by their financial position.

She indicated that to do this we may have to raise the proposed rates for those who can afford to pay by \$1.00. We cannot use our children as a battleground. The facts are that there is enough blame to go around for everyone. Obviously, the swimming pool rates should have been raised and voted on during the budget hearings. Finance Chairman, Jim O'Malley, and Council President, Ben Woods, neglected to put the necessary funds in the code account for the swimming pools and neither the Administration nor any member of Council caught this error. But to penalize the public is ludicrous.

It is also ludicrous to argue that since City residents already pay a four percent wage tax they should not be charged for the use of the pools. It is no different than the Zoo, Aviary or Conservatory which charges an entrance fee to both City residents and non-residents."

I could go on and on with that but I think you get the gist of it.

Another letter, July 13, 1988.

"Mayor Richard Caliguiri convinced the majority of Council with a personal request to charge the modest pool fees with the promise that the dollars raised would go to a special fund for repair of City pools. Ben Woods' proposal that we eliminate the pool fees because they are causing more conflict than the \$130,000 revenue generated should not be voted on until a public hearing investigating the deplorable conditions of Pittsburgh's 34 public pools is held. The \$130,000 realized this year from the sale of pool tags must be used to ensure that all pools are structurally sound, secure and clean."

And we all know we didn't get \$130,000, or, if we did, \$60,000 of it was used to generate the collection of the dollars.

In winding it up, as you know, we all received a letter from Joseph N. Cogley, Assistant Director of the City of Pittsburgh Department of Parks and Recreation. In it he states, "The pool maintenance staff is currently under so much stress, as much stress as our pool mechanical systems. The pool division has a staff of five people to maintain 35 pools. Additional funds are absolutely necessary to keep our pools in a safe and operating condition. Without the necessary additional funds we will not keep up with the maintenance demands."

And he says, "But I see these pool conditions. I want you to know the problems can become overwhelming."

In summary, what is happening is that for a modest minimal pool fee we will be able to maintain for a greater period of time the operation of our pools without having to shut them down. I

have personally gone out into the community, I have met with the neighborhoods, I've met with the people, and they are not upset about paying their fees, but they are upset that the pools are not in good condition.

We have all voted, I think almost unanimously, not to have a pool fee originally because we thought that those who pay four percent should not be double taxed. But when we get down to the reality, and the reality is very simple, do we want to shut down the pools, do we want to have pools that are not safe where we can have accidents? As I stated the other day, the bottoms of the pools are coming up, the tiles are cutting our children. We need sanitary conditions put into the pool areas where there are showers and toilet facilities that need repair. They desperately need maintenance.

I was told by the Administration that if we recalcitrantly do not sustain the pool fee that the pools will deteriorate to the point where it will be a moot issue. The pools will just shut down by themselves. That is fact. So, let us not fight amongst ourselves. We're not talking about huge sums of money; we're talking about a very small amount.

In closing, let me state that one of the things that I fought for before the new members of Council got here, year after year after year, was to be sure that any charge to our citizens, be it senior citizens who've been in homes for years that they were not exempt from gentrification taxes where the community's tax goes up, and for those who cannot indeed afford \$20 for a family to go to a pool or whatever the smaller amounts are, that those people would be exempt. And for years I was told it couldn't be done. But when push came to shove and we said we will not vote for the bill unless that provisos was

put in, that the pool fees took into consideration the issue of the indigents who could not pay. And also, it was done in a manner that no one would know who paid and who did not pay. And I think that anybody not voting at this point and having the facts before us — You know, we always vote with what we know but we learn more things as we go along. Anybody whose mind is locked in the closed position is never going to serve the public well. Things have changed; we've learned it's a matter of having these fees or not having pools. It's as cut and dried as that and we're not being misled and we're not being lied to.

I would encourage my colleagues to please vote to sustain the pool fees and to vote against eliminating them.

**Mr. Lyons:**

Mr. Chairman, in regards to the pool. I know that there has been a comprehensive study and a very detailed study made by the Pennsylvania Fair Taxes Coalition. They're recommending, which we should be mindful with the new budget coming in later this fall, that if we would put up 85 hundreds of a mill, less than one mill on land tax, that that would be more than enough money to take care of the pool and other things. And certainly I think that we should consider this when we look in November to the Pennsylvania Fair Tax Coalition. I've always found them to be a very thorough and a very honest group as they watch the meaning for even thinking of an increment of taxes. But then this would allow each home owner in the City of Pittsburgh well under \$1 to pay for our pool, the conditions of the pool, and then it would be an even distribution to it. I am not for senior citizens paying anything. And the way the fee is now, the senior citizens are not excused from a pool fee. Thank you.

**Mr. Pollock:**

Over the last two or three years it seems like we've had the discussion of pool fees every few months. It's probably the fifth or sixth time that it's come up before this Council in one form or another. I believe that over these two or three years I have been the only member of Council who has been completely consistent in my position on pool fees and that has been total, unequivocal, unconditional support for implementation of pool fees, institution of pool fees and a constant monitoring of the pool fee program.

Let's take a look at specifically what we're talking about here. This year there have been 34,000 permits issued of which one-third have been distributed at no cost to individuals on public assistance. There have been only three to four dozen complaints about the cost of the fees from people who purchased them. The bulk of the complaints, and I'll stipulate that there were indeed many more complaints, but the bulk of the complaints have been in the nature of resentment that individuals are indeed receiving passes at no charge. I don't think that those should even be recognized. If people want to feel bad that others are receiving free passes, then government has no business getting involved in that type of resentment.

Indeed, there are implementation problems. It's a new program; it's only a couple weeks old. There are lots and lots of problems. But that doesn't mean that you throw it out. If we threw out every program that this City started that had stirred up problems, we would hardly have any new programs implemented at all.

Michelle referred to the report that we always see from the Assistant Director, Joe Cogley. He succinctly sets

forth the necessity for this income derived from these pool fees. These are extremely modest fees. There's not an individual that I can think of who is not on public assistance, with very, very few exceptions, who cannot afford these fees. Our pools are in extremely bad shape and there is no doubt in my mind. I don't think this is a game of chicken; I think the Parks Department is being totally genuine when they state that if there is not the income derived from these pool fees, that pools will have to be closed.

Everyone makes a great deal of stock out of the fact that we're charging people for something that should be given away and yet I don't hear any complaints about the fact that when someone wants ballfields or pavillions or other things they have to pay a fee. When our lawfirm has its summer picnic and we rent a pavillion, the pavillion is there, yet we still have to pay a couple hundred dollars to use the pavillion. No one complains about that; it's a Parks facility.

User fees are increasing all across the nation. I've been saying this for years now. They are an enlightened form of pricing a service. Those that use the pools will help defray the cost, the mounting cost, an increasingly mounting cost, of the maintenance fees.

You know, I'm almost tempted to vote for the bill if it would mean that indeed some pools would be closed, because I also have been saying for several years that pools have to be closed. Here's why I say that and why I've said it for years. This City provides swimming pools to the public and, if this bill passes, will be doing so at no fee at the rate of one pool per 12,000 people. The average for other cities across the nation which provide pools, and practically every single one of them does

so at a fee, is one per 100,000 people. Don't these figures bother anybody on this Council? We're losing people at the rate of 10,000 a year and no one wants to close any pools. Some members of Council don't even want to charge a small, modest fee for the providing of these pools.

We have to examine every imaginative, innovative source of revenue that we can think of. And, yes, I would even support looking at some of the fees to which Mr. Ferlo just alluded. Until we get local tax reform, until we lower our repressive, regressive wage tax, we need money and we need these pool fees. So, as I have always done, I will support the pool fees and I think this Council has to have the courage to do what is not necessarily in our personal best interest but is what is clearly in the City's best interest. Thank you.

**Mr. Wagner:**

Mr. President and members of Council, that's right, this issue has been battered around four times on Council. Going back over a year and a half, actually, I voted against pool fees and for that reason I will vote to support this bill which eliminates pool fees after the year 1988.

The reason why I'm doing that is simple. It's an additional tax to a City resident. Any way you look at it, that is what it is. City residents today, in comparison to surrounding municipalities and to many other cities of comparable size, pay more in taxes than they do, particularly if you look at municipalities surrounding the City of Pittsburgh where their wage tax is one percent. Ours is four percent; of that, there is a portion, 2.125 percent is the City, 1.875 percent is the School Board.

It's very important that we do not put an additional fee or tax on City residents at this time. The reason why that's so important is that the average wage earner in the City of Pittsburgh makes less than \$20,000 a year. Now if there's a family, a husband and a wife, and they have two children and they're making \$20,000 a year or less, and they are trying to buy food, they are trying to pay increased utility costs, increased food costs, they're trying to buy clothing and they're trying to pay for all the other expenses that exists, is \$20 a lot of money? You're darn right it is. And to those people, that means a whole lot. There are Councilmembers that are laughing when I say that. But I'm talking for the person that makes \$20,000 a year that has two children. The family.

In addition to that, they're taxed right now more than other municipalities in this region. True, other municipalities surrounding the City of Pittsburgh, some of them have pool user fees. Some of them also have fees to pick up your rubbish. Some of them also have fees for the volunteer fire department, for the paramedic service, for the use of other facilities. The City of Pittsburgh doesn't, and that's our advantage right now. You know, when I sell the City of Pittsburgh to other people, I say, "Look, we may have a wage tax that's slightly higher, but you don't have to pay for your fire department in addition to your taxes. You don't have to pay for your pools, until this year, in addition to your taxes. You don't have to pay to pick up your rubbish in addition to your taxes." When you begin to put all of those other figures into the equation, it's not as bad as everyone thinks.

In addition to that, it's important to note that tax reform is going on right now, today, in Harrisburg. And, hopefully, there will be tax reform. But with tax reform you're going to see a

sales tax go from six percent to seven percent. And the person making \$20,000 a year, when they go out and buy various things that they need, they're going to pay more on a sales tax. It's not going to just be a wage tax; it will become an income tax. In addition to that, there won't be a \$10 occupational tax; there's probably going to be a \$20 occupational tax.

How much can we tax people? How much can we tax the average wage earner that makes \$20,000 a year? That's my point. I've been saying that going back two years. I'll continue to say it and originally I was the only member of Council that said it. Other members of Council are now very much involved in the issue and I'm very pleased to see that the bill has been introduced. And in good conscience, I have to vote for this bill which eliminates pool fees.

Let me further state, if there's a reduction in the wage tax in the future due to the tax reform, should we consider user fees? Probably yes. Has there been any indication that that is going to happen, 100 percent, as of this date in August, 1988? No, there hasn't. Consequently, this is a precedent that was set last year which I believe will continue at a greater pace with rubbish, with basketball courts, with tennis courts, with everything that's happening in the City of Pittsburgh. Our exodus won't be 10,000 people a year; it will be 30,000 people a year if we begin to do these things. So, we have to find ways to get around it and pay for it. If there is additional cost and we need an additional \$100,000 a year for maintenance of the pools, maybe we can have a tag, but maybe we can go for a sponsor to pay for the tags at the swimming pools. Maybe we can do innovative things but we can't tax the person again, the average wage earner, that makes \$20,000 a year that's trying to support a family.

That's how basic this issue is and that's how I believe and that's the reason why I'm voting in support of it and I think every member of this Council should vote in support of it. Thank you.

**Mr. Ferlo:**

Mr. President, I've been consistent and I've only been here since January 4th. I've tried to bring this bill up twice and it failed. I'm glad to see the bill being reintroduced.

I can't say it any more simply than the fact that I think the working class in this City has been nickled and dimed to death. I'm voting in favor of this legislation because I want to remove some of those nickles and dimes.

I think Mr. Wagner made some very good points about the fact that when we sell the City and we try to defend the City and it's wage tax, the first thing out of my mouth to many of those suburbanites is well, we don't have to pay separately for garbage and when a paramedic shows up and Mr. Wagner makes the point about the swimming pools.

In relation to some of the comments by Michelle, one of the reasons why some of our kids are cutting their feet on the bottom of these pools is not so much the fact that they're in disrepair; it has more to do with the fact that a supervisor or a foreman was asleep on the job. I mean, we've had painting done in some of these pools, three that I know of in particular, where the painting was done right over glass. Instead of getting in there first and sweeping up the glass, the painters, for reasons unbeknownst to me, painted right over the glass. That has nothing to do with the issue of user fees for pools and the issue of the austere budget; it has more to do with incompetence on the

part of the work force, whether it be General Services — I don't know who is responsible for the painting of the pools.

In relation to the issue which I raised earlier, again, until I see this Council becoming more austere and being more discriminating on some of the priorities. As far as I'm concerned, we should get rid of car phones in department directors and other City cars and that would give us the money that we need that we're raising now. It's taking us over \$60,000 of additional budget costs to help administer and pay for the \$130,000 that we're collecting. So, we're not going to actually yield \$130,000 because it's costing us a heck of a lot of money just to administer it.

I don't feel new taxes are needed because, again, I make the argument that we haven't spent well the money that the taxpayers have given us.

I'll just conclude with those remarks.

**The Chair:**

I'd just like to say one thing as the last speaker. I agree with many of the things that Mr. Wagner says, many of the things that you have said, Mr. Ferlo, and like you, Michelle, I agree with what you said that after a couple years you can change your mind, you do learn from experience. You do learn from having this job and that's why I've changed my mind.

And like you, Mr. Pollock, about people leaving, I agree with that. They are leaving because we are taxing them to death. We have nothing to offer.

This lousy pool fee, the lousy \$20, I've had people that told me that was the hair that broke the camel's back. They're tired of the City; they're paying

the most. And Parks and Recreation, \$70,000 is not a lot of money; we all know that. They can get that \$70,000 a lot of places. Arts in the Parks; they can do away with that or start charging for that because there are many suburbanites that come there. That could raise them \$70,000. The Shakesperean Festival; they could do away with that or start charging people that are coming to see that. Most suburban people come to see that, not City people, suburban people. The Fourth of July Celebration; we have a quarter of a million people watching that. They could do away with that or start charging some kind of a fee. They can't charge to watch but they could do away with that and save \$50,000. There are many, many ways that we can come up with that \$70,000.

And the best way is to put it in the Capital Budget. When we want to repair a fire house or a police station, this building or any one of our other buildings, it goes into the Capital Budget. I don't buy Louise's or Carmen's idea about they're going to close 35 pools. For \$70,000, no way. All they have to do is think a little bit. We give more money away every budget time, this Council and the Administration. All we have to do is stop and say we're not going to give it away.

And I'm not against suburbanites, by the way. We need them. But I'm not going to give them any activities or any recreational facilities unless they pay for it. And if we have them paying for it, we don't have to close the pools; we'll have the best pools in the country. Thank you.

**Mr. DePasquale:**

Question called for.

**Michelle Madoff:**

Why are you cutting off debate?

**The Chair:**

I'm not cutting off debate; I let everyone speak and I asked if there were any more speakers and I said I would be the last speaker.

**Michelle Madoff:**

Point of Order. Robert's Rules says everyone — We are entitled to rebut what has been said. Why are you cutting off debate without a chance to respond?

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 5**

**NOES 3**

(MR. COYNE, MICHELLE MADOFF  
AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1153

A Resolution entitled, "Resolution providing for authorization to enter into

an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs 1988 Great Race/Finish Line Services and providing for the cost thereof not to exceed the amount of Twenty-Two (\$22,000.00) Dollars from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 1264

Report of the Committee on Public Safety for August 3, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1136

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase an automated EMS billing system for the Bureau of Administration and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Lyons:**

I move to adjourn.

**Mr. Ferlo:**

Doesn't Motions and Resolutions come next?



**Mr. Lyons:**

I moved for the adjournment.

**Mr. Ferlo:**

I know but I have a motion to discuss.

**The Chair:**

The resolutions are gone; we took them in the beginning of the meeting. So everyone understands that, it started on January 4th of this year. We used to take them behind but now Motions and Resolutions are taken at the beginning of the meeting. Discussions are at the end of the meeting.

His motion was in order but I'll let you have discussion.

**Mr. Pollock:**

I understand the resolutions come at the beginning but what's a motion at the beginning of the meeting?

**The Chair:**

Motions and Resolutions are at the beginning of the meeting.

**Mr. Pollock:**

They're the same thing?

**Mr. Ferlo:**

Wait a minute.

**The Chair:**

Wait nothing. I'll set the agenda.

**Mr. Ferlo:**

Then you have to change it accordingly. But the agenda before me

has been motions and resolutions at the end of the meeting. If you're going to change that, please let us know.

**The Chair:**

Mr. Ferlo, it's been changed since you've been on Council. It's not printed that way but I'll guarantee you it will be changed from here on in. In writing.

Alright, under discussion, what do you want to discuss?

**Mr. Ferlo:**

This I want to discuss. At the end of the meeting Councilmembers have been afforded an opportunity to speak on whatever subject.

**The Chair:**

Right, and always under discussion. But Motions and Resolutions

**Mr. Ferlo:**

I understand that, but it's unfair to cut that debate just because someone quickly says motion to adjourn.

**The Chair:**

Mr. Ferlo, let me tell you something. I know you're a stickler for procedure, and the procedure is, a motion to adjourn is always in order.

Now, if you have discussion, let's hear your discussion.

**Mr. Ferlo:**

Thank you. Very briefly because I know everyone wants to get out of the room. I only want to ask, without making any speech about the incident this weekend regarding the Regatta, I

would just like to ask the Chairman to receive a report from the Solicitor as well as the Department of Public Safety regarding the incident, not only in terms of what they did well, what they did poorly, but what the ramifications are and I'm specifically curious, from the Solicitor, regarding the issue of liability. Very simple. Thank you, Mr. Chairman.

**Michelle Madoff:**

On another matter. As you all know, and you alluded to it, Mr. President, that the Legislature has gone back into an emergency session to address the issues of the tax reform along with some other items. I sent a letter to every State Legislator on July 14, 1988. We had all been sent memos by Mark Zabierek saying, whatever you do, do not make this a Pittsburgh issue because if it's a Pittsburgh issue, it becomes chauvinistic.

What I did was send a memo or letter which says that the City of Pittsburgh taxpayers are being denied the proper police protection and services because we make the services available not only to Allegheny County residents but to the five county region west of the Alleghenies. We see license plates from Ohio, from West Virginia, from New York state, from Maryland, who come to our special events, the special events being the fireworks, the Regatta, the Three Rivers Festival, etc. We don't want to do away with those things. That's what makes Pennsylvania special; not just Pittsburgh. But we cannot deny those residents of our City, our taxpayers, the burden of having to pick up the debt service on the bills and the taxes that have to be paid in this City and not get tax reform from Harrisburg.

So, what I'm asking is to urge everyone to get on the phone, call

anybody you know in Harrisburg, and point out that this is not a Pittsburgh issue on tax reform; it is an issue to keep Pennsylvania viable, keep Pennsylvania the place that people may want to come and do business, because we do have these wonderful, tremendous events that we should continue having, but Pittsburghers cannot just keep that burden on themselves.

**Mr. Pollock:**

One brief, pleasant item I'd like to share with Council. Several years ago I was being educated on a North Side issue by Mark Schneider from the North Side Civic Development Council and Ralph Horgan from the Troy Hill Citizens Council. And while they were in my office, my administrative assistant at that time, Laura Tissue, was also there. Mr. Horgan met Laura Tissue in my office and proceeded to begin dating her. Subsequently, Laura Tissue was lured away to bigger and better things by Pete Flaherty and is now working on his staff in the County Commissioner's Office and Mr. Horgan acceded to my wishes to have him work for me and serve the City.

I'm pleased to report that as of last week, Laura and Ralph are now officially engaged, to be married, and I point this out for several reasons: number one, of course, to wish them good luck and congratulate them; number two, to report how this should bode well for City-County relations; and number three, just to provide the latest example of all the good things that are accomplished in my office.

Thank you.

**The Chair:**

Mr. Pollock, are you running a dating service?

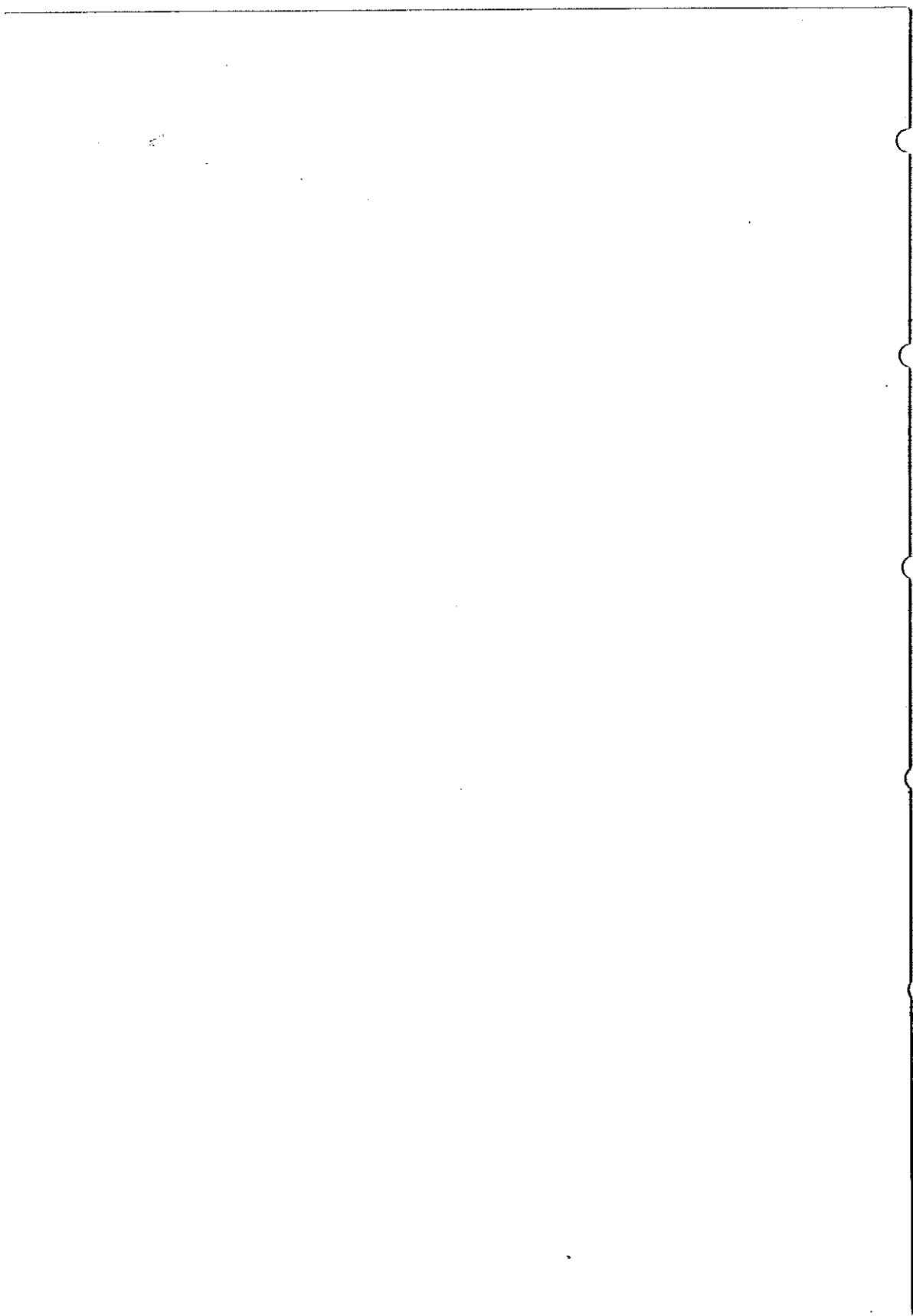
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Mr. Pollock:

Stop by.

And on the motion of Mr. Lyons

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Monday, August 15, 1988

No. 33

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, August 15, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

What we're going to do first is take a resolution; we'll go with that and then presentation of papers because we have a few bills we want to take up in the Committee Meeting. Then we'll recess, go to our Committee Meeting, then come back to our Legislative Meeting.

#### PRESENTATIONS

##### The Chair:

I'd like all the people from Public Works to please come up. I'd like to say this fine crew came in third and won a great honor for the City of Pittsburgh in the Anything That Floats Contest.

##### The Chair presents

No. 1270 WHEREAS, on Sunday, August 7, 1988, "The Anything that Floats Race" was held as part of "The Three Rivers Regatta", an annual event in the City of Pittsburgh, now celebrating its Eleventh Anniversary; and

WHEREAS, the Council of the City of Pittsburgh recognizes the importance of such events, drawing participation from many civic and private sectors, bringing much acclaim and attention to the beautiful waterways of our city; and

WHEREAS, now on the occasion of participation in the "Anything that Floats Race" by the Second Annual float, "The Citiworks", the Council of the City of Pittsburgh would like to formally salute and congratulate the participants for their planning, participation and their sincere dedication which resulted in the Shop 'N Save award for best promotion and a 3rd place trophy for the Best Craft Design, and also to have the notable float, "The Citiworks", and its crew: Chairman Lou Gaetano, Captain Jose Serpa, Sailors: Puddy and Mary Lou Sell, Linda Noska, Rhonda Simon, Ron and Karen Freyermuth, Greg, Kathy and

Wendy Feigel, Jeannie Filbert, Mary Ann Hruska, Mary Kay Whalen, Connie Jamison, Bill Todd, Ray Wolfgang, Joyce Rabinovitz, Susan Rechichar and Bob Serpa, Carriers: Rich & Joyce Bushmen, Denny & Mickey Sullivan.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, do hereby congratulate and honor their achievements and extend our best wishes for future voyages of the mighty, 'The Citiworks', and its formidable crew.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Gaetano:

First, I'll be very truthful with you, I thought it would sink, and it cost me a breakfast with the Captain. But I'd like to thank all the members of Public Works and also, Law, Engineering and the honorary other departments that helped us. Thank you very, very much for all the work they've done.

I knew we could build street sewers, bridges and everything else but this is a first with a boat.

Mr. Ferlo presented

No. 1268 A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read and referred to the Committee on Public Works.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Lyons seconded the motion.

Which motion prevailed.

Michelle Madoff:

Why is this next bill such an emergency? There is no emergency and I don't want to introduce it.

The Chair:

I'll introduce it.

Michelle Madoff:

When that happens to someone else and they don't want to introduce it, I'll introduce the bill.

The Chair:

You can't. The President of Council or Acting President of Council can do that, Michelle, but nobody else can.

Michelle Madoff:

We've always had other people do it.

The Chair presented

No. 1269 Resolution transferring \$104,150.00 from Code Account 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927 (192708) Refunds, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I need a motion to recess.

Mr. Lyons:

So moved.

Mr. Wagner seconded the motion.

And on the motion of Mr. Lyons

Council recessed.

Pittsburgh, PA  
Monday, August 15, 1988

And the hour of 1:30 o'clock, P.M. having arrived and the time of recess having expired, Council reconvened and there were present:

PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

## UNFINISHED BUSINESS

### The Chair presents

No. 1271 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 1021, "Resolution authorizing an agreement to implement a 'City-wide food distribution and services program', at a cost not to exceed \$200,000.00." Also, Council Bill No. 1015, "Resolution transferring the aggregate amount of \$200,000 00 from various code accounts to Code Account No. 1103, Miscellaneous Services, Department of City Planning."

Which was read.

### (MAYOR'S VETO LETTER)

August 11, 1988

Dear Mr. President Pro tem  
and Members:

I am returning as vetoed Council Bill 1021 which authorizes an agreement to implement a "City-wide food distribution and services program" at a cost of \$200,000.00 and Bill 1015 which takes funds from various City operating Department Code Accounts to fund this program. I have been forced to take this action because this Bill provides a program that is not within the scope of City government and is unconstitutional under Article IX, Section 9, of the Pennsylvania Constitution.

The City Solicitor has already informed you that such a grant is illegal under Article IX, Section 9, of the Pennsylvania Constitution. That provision provides that the City cannot enter into an agreement or give general tax revenues for a purpose not authorized by the General Assembly. The distribution of food is not a City

function.

The General Assembly, however, has provided that other entities of government are to provide care to those in need. The Commonwealth of Pennsylvania, which has an extensive welfare program, and Allegheny County and its Institutional District, are the governmental entities to fund and carry out a free-food distribution system.

For the City to use general tax revenues to begin an unauthorized activity would be, in effect, to subsidize the operation of another level of government. It gives the impression that a solution has been provided. Because the General Assembly did not consider this a proper City function, it did not provide the City with taxing authority to support a systematic approach to such a program. Because Council is using general tax revenues to fund this program, it lessens the City's ability to provide services that the City was established to provide.

Since I've become Mayor, I've learned that the hardest part of this position is not saying "yes" but saying "no" to requests. The City has so many needs and its resources are limited. All of us in our lives know that appeals to the heart must sometimes be refused for the general good. This City will continue to direct federal funds under its control to help deal with hunger in Pittsburgh. We will not break the law, however, or make false promises.

Accordingly, I am returning Council Bills 1021 and 1015 as vetoed.

Very truly yours,

Sophie Masloff  
Mayor

(END OF LETTER)

Mr. Ferlo moved to override the veto.

Mr. Wagner seconded the motion.

Mr. Ferlo:

On the motion to override the Mayor's veto, in relation to the allocation of \$200,000 to support not only food pantries that obviously are in need of additional support, but equally as important, support, public dollars support of our tax dollars for this City's only anti-poverty agency, the Pittsburgh Community Services Incorporated.

I think it's shameful that our City has not made a dollar commitment to support our own agency that's responsible for administering programs in relation to low income people and families in the City of Pittsburgh. Sure, we've given this agency Community Development Block Grant Funds, we've given them monies from other federal sources in the state grants, the community services grant; but we've never given them one dollar of public dollar commitment. And I think it's time that we increase the figure and make a public commitment.

As has been clearly demonstrated by the public hearing as well as countless discussions that we've had, a majority of this Council has felt strongly about the need to give assistance to the food pantries. I think we recognize that, unfortunately, whether we like it or not, there is a need for food assistance. Hopefully, if we have a new democratic regime in the White House for the next four years, maybe we can make some changes in our economy. But we know very strongly that this region, our area, has suffered tremendously and that we have the working poor as well as the traditional low income individuals.

So, I would ask to support the override. I did point out that there are



many other cities across the country that use tax monies to support human service programs in addition to feeding people.

I find it laughable that Mr. Pellegrini and the Mayor would send back in her letter to Council in her objections stating that its illegal. The Mayor herself, Mayor Masloff herself, indicated in past legislation but supporting the Polished Apple for food assistance, she herself initiated a grant of general fund dollars, not Community Development Block Grant, not other state dollars, but City tax dollars to support an agency delivering food services. This Council also supported the Lutheran Service Society for food related distribution of cheese and butter for the amount of \$35,000. Now, why there was no grand letter from the Solicitor saying it's illegal in those instances is unbeknownst to me.

Very clearly, the money is there. It would mean a fund balance deficit of not eight or nine million or five or six million but \$200,000 less than whatever our fund balance is there. We have the money, I say let's make the commitment. And quite honestly, members of Council, we know that if we override the veto, we are still presented with the reality that the Administration may not actually make real the contract. But I say let's move this to a higher level. Let's ante up. Let's pass this legislation, override the veto, and let the advocacy groups as well as Council engage in a dialogue with the Administration on whether or not they actually contract out and provide this grant for the Pittsburgh Community Services. Thank you, Mr. Chairman.

**Michelle Madoff:**

Mr. President and members of Council, I have some great concerns about going into the General Fund to

take money for indigents who need dollars in which to sustain themselves just to eat. However, if we don't do something, people don't eat. They can't work, even if we have jobs for them. They can't take courses in literacy. They're really ineffectual; they can't do anything else that we provide for them.

I looked at the numbers and, as you know, all of us have been wrestling with this for a very long time. It would be unfair to say that this Council or this City has been heartless because indeed we've given over \$200,000 when you take Unspecified Local Options and UDAG grants and other monies that funnel through us. And there has been some operating dollars, tax dollars, allocated towards the \$250,000 approximately that have been channeled towards food.

I was approached to see if we could, what I would vote for, one shot, one time, shortfall of this \$200,000. I want to let Council know that I called and have been in the process of calling Westinghouse Electric, Alcoa, the Heinz Company, Koppers Company, there's a list of all the major corporations, and it seemed to me that had we had more time and this was not a last minute kind of effort, I had no doubt that additional dollars for the shortfall could have been provided by the corporations. We deal with so many issues here, there's so many pieces of legislation, that it's impossible, we're not computers, to keep all the information in our heads. But at one point there was a project through the United Way headed by Fred Just, and I believe the other person was Jack Herrity, who were trying to raise money from corporations. They got started but there was this dichotomy with the Mayor who wanted the money to go to the Pittsburgh Community Service, Inc., and I guess it sort of, the looking for the money from the private corporations, fell by the wayside.

As you may recall, for years I have been trying to get a grants person from this City, somebody who would go out to the communities with the credibility of the Mayor and the Administration and Councilmembers, to address these kinds of issues. It seemed to me in my initial calls that the money is there but it's too late to get it for this year. Therefore, I think that as humanitarians, and also having looked, because I asked to have presented to me other cities with the same kind of population size, same kind of problems with dollars, that their tax base were rated in the same ratings as ours, have indeed given money from their operating tax base.

I don't know with the problems of Pittsburgh that we can continue to do that, but I think we need to restructure the whole way we do business in the City. Our priorities have just completely gone out of whack.

Whether we want to delve into the dollars, and whether it's going to affect next year's budget, is really, in a sense, a moot issue simply because \$200,000, whether we spend it on sidewalks, or \$200,000 whether we spend it on overtime, or \$200,000 that we spend in giveaway programs, overbids, almost every major contract goes out at least \$200,000 over what it should be, indicates that we need to really streamline government. And a streamlined government will be able to deal with the things that need to be dealt with on a priority basis. Perhaps the first priority is seeing that people can eat.

I want to go on record that I'm going to change my vote and I want it to be a matter of record that this is a one-time seed money shortfall until the end of this year, and that I will vote for this this year and not vote for it again, providing we have Council smarten up,

get a grants person at budget time, get rid of the person we keep sending over to some agency across the street who doesn't want the money, doesn't take it, doesn't use it - we gave him \$40,000; there's \$40,000 out of the \$200,000 that was never used - and start to help where the shortfall of the tax dollars base ends in making some of the important projects viable.

I do this with great trepidation. I have great concerns as to whether it's the right thing. But I don't think, as a human being and as an elected official of this City, that from what I've been shown we can let people go hungry at the end of this year. But we can't keep coming back next year and saying, okay, I want to do it again, I'm going to do it again. That means that budget hearings this year have to be structured in such a way that we look at our total dollars, our Unspecified Local Options, our UDAG dollars, and they are several million dollars, I believe, and we decide what's going to be a priority. I would like to see that money structured for City residents for food. I'm not sure if the process now gives it to City residents; could you answer that, Mr. Ferlo?

**Mr. Ferlo:**

Very quickly, if I may be permitted, the money would go to the same agency that has handled the previous money, the Pittsburgh Community Services, which only serves City low-income residents, and it's the City's anti-poverty agency.

**Michelle Madoff:**

Mr. President, do I have your permission to ask another question?

Mr. Ferlo, what guarantee do we have that next year when we go through our budget and our budget process that

you won't come back and say, "Okay, we got Madoff to change her vote; that was 1988 and '89 is a new year and we want the Polished Apple, we want this, we want that, we want the other thing", that it won't come out of operating dollars?

**Mr. Ferlo:**

Very quickly, Michelle and members of Council, I think really what needs to happen is to override, support the emergency legislation, but discuss this very point that Michelle has raised as part of the annual budget proceedings. And if there is a clear indication of Council, the need, and if we allocate dollars with CDBG funds or other sources, then we will not have to go into the operating fund. And that's a debate I would like to see take place, as Michelle has suggested, as part of the annual budget proceedings.

**Michelle Madoff:**

The concern I have, Mr. President, and I presume you will be here and most of us will until 1990, is that what do we do? Do we take the food out of people's mouths or do we take the uniforms off the baseball and junior leagues? Do we cut out a lot of other programs that I feel are just as important, the Women's Center, the Battered Women's Center? There are so many needy things that have to be addressed that we had better start to think about having a grants person that will go out and get the money from the corporate sector.

I want to know how much money the United Way gets off the top for their programs. I want to know if the United Way will indeed, and they've already told me, I've already spoken to Fred Just and I've spoken to Jack Herrity, they are willing to spearhead raising this money next year. The only reason I'm voting for it this year is that it's too late for them

to get organized to do the job. I called a number of companies; I was told that the money was there, that they will give money, and they have given money, and that they care about this problem. But somebody has to address it and, believe me, it's a full time job and Councilmembers don't have the time to make that a full time job.

**Mr. Lyons:**

Mr. Chairman, I'd like to say that we have already given very freely to the food bank and in this City. It becomes a thing that it's infinite and it's abstract. How much must we give? I hate to see people go hungry; I'm very passionate to that cause. But yet I don't have the power to separate or divide a few fish and a few loaves of bread among the multitude to see that they eat all the time. However, I would like to say that I would be more satisfied if the food, not that other people shouldn't be fed, but be left solely to the residents of the City of Pittsburgh. I raise the question, where are the other municipalities to help this cause, and certainly, my problem is taking the money from the general fund instead of from the CDBG. That's the shaky part of it. I feel that it should be a great big important budget item in the coming year. People should be fed, they should not go hungry if it's in my power. And certainly I feel that the only thing I have with the bill is the source of its money.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Michelle Madoff  
Mr. Ferlo            Mr. Woods  
Mr. Lyons            (Pres't Pro tem)

AYES 5                NOES 3

(MR. DEPASQUALE, MR. POLLOCK  
AND MR. WAGNER VOTING NO)

And there not being two-thirds of  
the votes of Council in the affirmative,  
the veto was sustained.

**The Chair presents**

No. 1272 Communication from  
Sophie Masloff, Mayor, City of  
Pittsburgh, returning with her veto  
Council Bill No. 1076, "Resolution  
amending Section 1 of Resolution No.  
987 approved December 4, 1987 entitled,  
Resolution establishing a schedule of  
fees and charges in connection with  
Parks and Recreation's Swimming Pools  
Program" by providing for scheduled fees  
only for the year 1988.

Which was read.

**(MAYOR'S VETO LETTER)**

August 12, 1988

Dear Mr. President Pro Tem  
and Members:

I am returning as vetoed Council  
Bill 1076 which prohibits the imposition  
of pool fees in future years.

This action by Council is contrary  
to the national trend of having users of  
facilities, such as swimming pools, help  
defray some costs of those facilities'  
operation and maintenance. In view of  
the fees charged by other local  
communities, the fees are modest and  
have been generally supported by

residents and pool users. General and  
capital funds can no longer alone support  
the pool operation and maintenance.  
Lack of pool fees will cause the City to  
defer maintenance and renovation that  
eventually could lead to pool closings.

An unintended but pleasant effect  
of the imposition of pool fees is the  
change in attitude of pool users. Pool  
managers have advised Louise Brown  
that, despite the increased number of  
users because of the heat wave, there  
are less problems at the pools because  
users have to pay to swim, and  
accordingly, are less likely to abuse their  
pool privileges. The old maxim that  
what is free is worth nothing but what is  
paid for is to be treasured is again  
confirmed.

Accordingly, I am returning  
Council Bill 1076 as vetoed.

Very truly yours,

Sophie Masloff  
Mayor

**(END OF LETTER)**

**Mr. Ferlo** moved to override the Mayor's  
veto.

**Mr. Wagner** seconded the motion.

**Mr. Lyons:**

Discussion. Mr. Chairman, while I  
have gone on record saying that I would  
oppose this bill, my conscience is saying  
constituents that have come to me  
saying that they have the fear, although  
I've tried to put forth that there would  
be money available, that before they  
would have the fear of losing the pools, I  
don't know if it's true or false, they  
would rather pay the \$20 a year because  
they think it's minimum. And the only  
thing I would like to see that there would

be some consideration given to the invalid.

**Michelle Madoff:**

I don't know about other members of Council but I had one lousy weekend. I was on the phone all weekend talking to everybody I possibly could and everybody was lobbying me, thinking I was the swing vote, to try to do what I thought was the right thing and to listen to my conscience.

I, too, have vacillated and changed my mind, as all of us have. We thought about it. Mine have been more verbal and I've actually taken votes on it. I think it's important to go back and discuss what really happened. On the very first vote that was taken on the pools, I am on record as saying, the people who pay four percent tax should not be taxed for the pools. I subsequently changed my vote. I changed my vote because Mayor Caliguiri who was ill, who came to me expressing his great concern, and said, "Michelle, you're right; I'll give you an exemption for the indigents, the people on welfare, I'll make that part of the deal. Give me the vote to put the money in a special fund that will be used only to repair the pools." I know that Mayor Caliguiri went to everybody on this Council and I said, yes, Dick, if that money is going to be used for the pools, to repair them, I will vote with you even though my original logic was that if you pay four percent why should you have to pay for using the pools.

The other sentiments on this Council over all the meetings where we vacillate in our rethinking, and people today, I changed my vote and another changed their vote on something else, was the fact that people who pay taxes, in this case, are strictly City — Excuse me, the people who are being charged

the pool fees are strictly City residents. And the argument has been made by the media and by others, well, we charge when you go to a picnic. When you go to a picnic and there are 100 people or 50 people, I don't know what the charge is, but when you divide it amongst everybody it's probably a buck or two bucks and it's a one-shot deal. We're talking about \$1 or \$2. And generally they're not necessarily City residents. When you use the Zoo, the Aviary or the Conservatory, they're not City residents. The one thing, and that was my initial gut reaction, was the one item that City residents have that is not used by suburbanites are their City pools. We are not a City that's fortunate enough to be built on a lake. I come from Toronto, Canada and we're built on Lake Ontario. We don't have the transportation, we don't have the economy to let the poor children in many communities get to places of recreation or even to jobs.

I'm going to change my mind for a very unique reason. I've had in my office, because somebody went on the air, I don't know which member of Council went on the air and said, "Michelle Madoff is going to be the swing vote; call her." And they did all weekend, day and night, and they also called all day Thursday and Friday. We have had 108 phone calls; that's not counting the letter and that's only in three days. I would think that we've probably had about 250 to 300 calls against the pool fees.

My reason is very different than anyone else's, I think. The day we start to run this government, this City, more efficiently, cut out the waste, cut out the fat, cut out the \$5 million in consulting fees in three years that we don't need — Today I asked Lou Gaetano to come to the table on sidewalks and said, "Mr. Gaetano, are you going to hire

a consultant to tell you how to put in sidewalks for \$100,000?" He said, "No, I'm not." I said, "Go back and tell that to McDermott." McDermott hires consultants for sidewalks, for roofs, consultants for every little thing that happens, that were more than 100 times and the waste in this government paid by City residents who are being charged a pool fee. The calls I got, incidentally, were not necessarily — As a matter of fact, I would say three-quarters of my 108 calls were not from people using the pools. This is very interesting, members of Council. They were not from people using the pools. Many of them were senior citizens, many of them were just people who said if we're going to have a four percent wage tax, then you don't charge a fee for the pools. If you want to lower your wage tax and have a service fee, because we see that coming down the pike like other communities — Those are two different approaches to government but you can't charge us both ways and charge those of us who live in the City. It is a precedent that we find offensive and we don't use the pools. These are not people fighting for their own right to use the pools; these were people who were fighting for a principle. And since I have been fighting that same principle in my efforts to reform the workers' comp, get rid of the giveaways by saying we have \$2 million, not to exceed, nobody is going to come and do a project for a million if you say you have two to give away.

Finally, I see that my Council is becoming enlightened. I see them saying over and over again, why do we have all these overruns, why are we giving all this money away. Based on the principle that City residents should either be charged the four percent wage tax or a service fee, not both, and it has nothing to do with the people using the pool, I'm going to vote to eliminate the pool fees for this year. It's a moot issue. We've

already collected I think a surplus after costs of initiation of \$60,000. That money will indeed go towards carrying out Mayor Caliguiri's wishes towards repairing the pools. But next year again when we get into budget time, we better get our act together and we better get our priorities in order. And we better start thinking about bringing that wage tax down if you're going to have fees for service. I'm talking about fees for service on City taxpayers, not on the Zoo, the Aviary and the Conservatory, all use, three-quarters of it, including the Stadium, by non-City residents. And on principle, I'm going to go back to my initial gut vote, that you don't have a service fee on the people who already have a wage tax. If you're going to lower the wage tax, then you can go back.

Next year, if we don't come up with tax reform, if we don't start to lower our wage tax, if we don't start to tighten up how this City runs more efficiently, then I will introduce a bill to reinstate the pool tax because it doesn't mean anything this year anyway. Why are we voting for next year before next year is here and before we have a chance, as a body, and I think the issue of our priorities are so exemplified by the bills were voting on today. But when we get together we better start to streamline government as a body and come up with some guidelines and some rules. Thank you.

**Mr. Ferlo:**

Mr. Chairman, if this had been a level playing field I would have walked into this room today knowing quite well that we had the ability to override the Mayor's veto, not only on the hunger act but also on the swimming pool because, in fact, and in all honesty, my colleague, Michelle, was the swing vote on both of these pieces of legislation.

**Michelle Madoff:**

How many times did I talk to you about it over the weekend?

**Mr. Ferlo:**

It was clear that in reassessing her position, we in fact, did have the votes to override the veto, both on the hunger act as well as the swimming pool. Unfortunately, politics in City Hall and on Grant Street is not a level playing field. I'm disappointed my colleague, Mr. Lyons, and also Mr. DePasquale, who will vote not to override, I wish they not only had a little more intestinal fortitude but, quite frankly, I wish they would stick to their principles. They have both flip-flopped around on the issue and we'll see before the final vote today another flip-flop.

To my colleague, Mr. Lyons, if I could address him, I would say for those in the viewing audience, let this be the opening sail on the district Council election because I plan on taking this issue to residents in Lawrenceville and Garfield and Morningside.

**Mr. DePasquale:**

Point of Order, Mr. Chairman. The man is completely out of line with those remarks. Stay on the bill.

**Mr. Ferlo:**

I think it's important that we do hear from the citizens and from those working people and low income people in those communities. I'm disappointed that these colleagues have succumbed to blackmail by the Administration who always utters the threat, "Well, we're going to not have police" on the issue of psychological testing or, on this issue, "We're going to close your pool." That's a bunch of baloney. How people can

discuss at length and vote on an issue and then completely flip-flop is beyond me. Certainly there is new information that comes to the table; that's true. But I would like to hear from these two colleagues, what is the new information? What would make you change your vote? If it's a few jobs, then have the courtesy to say that. If it's some other thing that you've been given by Mr. Jacoby or the Mayor, I think you should say that. I think the City residents need to know, why did you sell yourself?

**The Chair:**

We're getting out of line here. Please, let's not get personal here. Let's talk about the legislation. If you care to ask any colleague what their reason is, that's fine. But do it in a manner other than what you're doing.

**Mr. Ferlo:**

I have, Mr. Chairman. I think it's clear that Michelle gave a very articulate explanation of her position on these issues and I would like to hear an equally articulate explanation from Mr. Lyons and Mr. DePasquale on these two issues.

On the merits itself, Mr. Chairman, I can only reiterate what has been obvious and what I've discussed to death for the last three months. It's unfair; it amounts to a swimming tax. I think it's clear in the propaganda that we receive in the override from the Administration that they point to municipalities outside the City. What they fail to explain is that all of those municipalities are currently paying a one percent wage tax and they do not have the kinds of obligations for taxes that we do in the City.

I think it's clear; my position has

been consistent since January 4th. I think I've set the record in voting no, not for the sake of voting no, but I've attempted to analyze the spending priorities and objectives of this Administration. Many times I have felt that we have not spent money wisely and before I vote for a swimming tax or other user fees, before any such notion should take hold in this City, I think we have a responsibility to one, lower the wage tax and, two, keep our ship in order, keep our house in order as it relates to spending. That has not been the case and I think it's very important that we override this veto and make sure we eliminate the pool fees. Thank you, Mr. Chairman.

**Mr. DePasquale:**

Mr. President, in my 15 years on Council I never asked a colleague to explain a vote and I won't. Whatever a colleague does is there own personal business and for whatever reasons, that's something else.

Over the weekend, Mr. Ferlo said I flip-flopped the last day or so. About the middle of last week I was quoted on radio, television and newspapers that I would vote to sustain Mayor Masloff's vetoes on both bills. At that time we weren't sure she was going to veto one or even any of them. That's last Wednesday. I haven't changed my mind since last Wednesday. I voted to sustain one and I'm going to vote to sustain the other. I just want the record clear that the decision was not made this morning or last night after some phone calls or whatever.

And in respect to the Councilwoman who got so many calls and letters, I didn't receive one over the weekend. So, apparently either they don't consider me important or couldn't care less. But I don't get these calls and

these letters. If I did, I'd probably be swayed one way or the other. Nobody called me and nobody wrote to me.

**Mr. Wagner:**

Mr. President and members of Council, in regard to the veto on the swimming pool fees, there has been a lot of discussion on this issue. It's incredible how much discussion has come up in the last year and a half in regard to this bill and the fees. I'll be brief because I think we really have talked about this issue quite a bit.

However, I must state that I think the conversation all has been good because it all seems to get back to taxing in general, the wage tax, what the City is in comparison to other municipalities. And I think it's important that those issues are always at the forefront. It's incredible how a new tax or a new user fee, whichever you want to call it, can bring such a large issue into focus more. I said a year ago, I said six months ago, I said two weeks ago, there is tax reform pending in Harrisburg. I don't think we should be implementing any new taxes or any new user fees until, at the very minimum, we understand what that is all about. Hopefully, we keep hearing and we keep reading that that will take place before year's end, and it plays a very important part in our upcoming budget for next year. With tax reform this City would get additional dollars in various ways by increasing some types of taxes; we should not be implementing a new type of tax with a user fee.

The information that has been provided to us by Mayor Masloff is good information, it's solid information, when you compare the City to surrounding municipalities. However, Mr. Ferlo was accurate in saying that we are only seeing a very small piece of the pie



here. True, other municipalities have pool fees. It's also true that other municipalities have fees for their volunteer fire services, fees for their paramedics, fees, many of them, for rubbish pickup. The City of Pittsburgh doesn't have those things. They are the advantages to living in the City of Pittsburgh because we have a 2.1 percent wage tax, not a 4 percent wage tax, the School Board has a 1.9 percent wage tax. The City wants to do something about that and if we can reduce that wage tax, our portion of the wage tax, maybe we should consider user fees as other municipalities have user fees. However, as of this date, August 15, 1988, we have not yet found the way to do that. Therefore, it still isn't time to have additional user fees placed on our residents.

Another important reason in comparison to other municipalities is that the average person in the City of Pittsburgh makes less than the average municipality in this survey; therefore, is less capable of paying user fees to get a recreational service of using swimming pools. Therefore, I strongly recommend that this Council should override the Mayor's veto.

#### **The Chair:**

I would like to say something. I received the Mayor's veto also. The Administration put together, I believe, 12 municipalities outside the City. Other than what Mr. Wagner says, we have a two and one-eighth or two and one-tenth percent, let's just go on the four percent because we're including our wage tax, that's City and School, because these include their school tax also and they're one percent. Two of them out of 12 have a one and a half percent. Far, far smaller than the City of Pittsburgh. So, this doesn't wash when you say what they pay for pools and what we are

paying for pools. Ask what they are paying for wage tax.

Let's take another item here. This Council this year alone so far, and colleague, please, I'd like you to listen to me very carefully because I think those who are going to switch can switch back and those that voted against this will vote for it. This year alone, this Council has given away \$70,000 out of Code Account 10, that's our discretionary money. We gave it to Little Leagues, we gave it to softball teams, we gave it to football teams, we gave it to Lutheran Services, we gave it to Polished Apple. But we gave \$70,000 and it's only up until the end of July. That's seven months, and we have a lot longer to go, another five months, and I know there's a bill on this table today for a Little League, that somebody wants to give them money.

Last year, this same Council other than these three new members, gave \$147,500 away. Just gave it away. We gave it away to Lutheran Services, we gave it away to Lincoln Place Youth Athletic Association, Spring Hill Civic League, Ernest T. Williams Center, Beechview Athletic Association, Vietnam Veterans Memorial Fund. We gave this away, our money out of the general fund, the taxpayers' money. Yet, we want to charge somebody \$5 or \$10 or \$20 to raise a meager \$70,000 out of a \$290 million budget. Please think about what you're doing. You're dividing this City with what I call an additional wage tax.

Secondly, in our grants and donations, we gave away, this Council at budget time, \$728,950 for the same reasons, the same athletic associations and neighborhood groups, the same thing. That's what we gave away and the Administration gave it away. And if you want to put in Carnegie Library and Carnegie Institute, now it will be over \$5 million that we gave away out of

taxpayers dollars. And now you want to charge them a meager \$70,000. People, let's get real here.

Last but not least. In our capital budget right now, Ream Pool Rehabilitation, there's \$35,000 sitting there. It was funded and the money is sitting there since 1986. The same rehabilitation and the money is sitting there. \$390,000 since 1987, and I'm just starting. Swimming pool design and rehabilitation, \$370,000 in 1988 and another \$70,000 that's sitting there. This is appropriated money for rehabilitational purposes. West End Pool rehabilitation; since 1985 you have \$739,045 sitting there. Since 1986 you have another \$191,797 sitting there. In 1986, another \$70,000. Bloomfield Pool rehabilitation, since 1986 you have another \$194,081 sitting there. Our money sitting there to rehabilitate these pools. Infrastructuring of walls, streets and pools, 1983 we put away another \$310,000.

This is over \$2 million sitting right there, right now, to go out and fix any pool you want to fix. And that's encumbered monies strictly for pools and we're charging \$20 to raise a meager \$70,000. It's an insult, it's an injustice to the citizens of this City. I know it and all of you know it and the Administration knows it.

Finally, \$24,898,000 is sitting there, unrestricted cash in the capital budget. That's a lot of money. \$24,898,000, and we're going to charge people a lousy \$5, \$10, or \$20, only a select group, and we're going to charge them that and only raise a lousy \$70,000, and we've got that sitting there. It's unrestricted; we can go and take it right now and fix our 35 pools. We can build 35 pools with that kind of money.

If this Council does anything less

than override this veto, shame on you. You're all my friends, but I will tell you this; we have bills on this table today and we have bills coming in the future. We have bills for Little Leagues, we have bills for this group and that group, and I will urge my colleagues, and I will be the first one to do it, I will not vote for another one because then you are being selective. You are taking a certain neighborhood and saying, we will help you but all you other citizens in this City, children, adults and senior citizens, black and white, Catholic and Jewish and Protestant, that we are going to charge you to pay for all these other items. That is not right and I urge you, all of you, to rethink this thing. Those of you who have voted to abolish this last week, do it again. Those of you who haven't, please, think today, think what you're talking about. Vote to override this veto.

**Michelle Madoff:**

Mr. President, may I ask for some clarification? As of today, since I have given my reason after a lot of soul searching and basically based on a lot of information that you've stated today publicly but I had reviewed all that, and again, as I said, my reason is predominantly not even the pool issue but a principle issue. And I think that's the bottom line on what you're saying. I don't think it's unfair for this Council to request, you don't have to do it, but to request that if somebody is not going to vote to override, why. What made them change their mind? Nobody is under an obligation to do it. As my colleague said, in all these years he's never said to somebody, why are you changing your mind. But I think it goes to the integrity of this Council and to the integrity of the people who vote, who are elected, to say alright, I made a mistake, I realize I made a mistake. Or maybe I'm making a mistake now. But at least I'm voting my

conscience.

I want to go on record, and I don't care if the media hears it, my office received a call just before we broke for lunch. The call was to my aide to say, "I understand that Michelle Madoff is changing her votes on the pool." She said, "Yes, that's true; as of now that's where she's leaning." Well, before I do anything about it, I wanted to be sure, I guess I better go speak to George. I think George was George Jacoby, I presume. Obviously, the Administration got to some members of this Council, and we'll be able to tell by the vote whether those persons were influenced by the Administration or are voting their conscience. I see nothing wrong with the respectable request from a colleague to say, would you just tell us why you're changing your vote, if indeed you're changing it. You have no obligation to do it, but I think it would be the honorable thing to do.

**Mr. Pollock:**

Michelle started off by saying that the only reason she voted for it in the first place was because Mayor Caliguiri came in to see her and asked —

**Michelle Madoff:**

That was the second place.

**Mr. Pollock:**

Right. I'm sorry. She changed her vote because the Mayor came and appealed to her personally to change her vote. So, it's irrelevant whatever reason people use to change their vote. They have their own conscience and their own lives to lead.

But I do want to respond to several points on this issue, and I have been consistent on this from day one. All the

points that Mr. Woods raised are well taken but I don't understand why everybody who makes arguments always use it as an either/or ultimatum. Why does it have to be that if you vote for pool fees, then you oppose the Little Leagues and the football teams? Why can't you oppose the Little Leagues and the football teams and still have a pool fee? I don't understand why they're related. We need every dollar we can. We need every dollar that we can bring into the City and we need to reduce every dollar of spending. They're not mutually exclusive. In other words, I agree with what Mr. Woods said, but that does not obviate the necessity to have pool fees.

The second point to which I wish to respond, in all the rhetoric about comparing it to other municipalities, you're only looking at neighboring communities and I think that's apples and oranges. What you have to look at are what other cities across this country, of comparable size and comparable wage tax, what are they doing. And every one of them, with I think one or two exceptions, are putting in pool fees. That's what we have to look at, not neighboring communities.

The bottom line is that Pittsburgh has lost 300,000 people and not closed one pool. Pittsburgh has pools at the rate of 1 pool per 12,000 people and the national average is 1 per 100,000 people. And now we won't even charge the people that continue this, really, luxury of providing pools at the rate of 1 per 12,000 people. There should be pools closed. There should be neighborhood pools closed. You can't keep losing 10,000 people a year and not close pools. The pool fees should definitely be there. Everything else, I believe, is nice rhetoric and they're good arguments, but they're not fair arguments and they're not the whole picture and they're really

not being fair to the taxpayers, most of whom do not use the pools, the vast majority of whom don't get near the pools.

**The Chair:**

Mr. Pollock, in response to one thing, and you and I agree to disagree. I didn't bring up neighboring municipalities. The Mayor did and the Administration did in their veto letter. So don't lay that on me or any other member of this Council; take it across the hall. And if you have proof that Cincinnati or Columbus, Ohio, or whatever other city you're naming that has the same population, 400,000 people and they're charging \$20, or \$50 or 10¢, please bring it in because you never have. We don't know what their wage taxes are; I'm just listening to you now. And if you have those facts there, I'll give you the floor. Please repeat them.

**Mr. Lyons:**

Mr. Chairman, I can't see how someone says I flip-flop when I'm on record saying that I wouldn't vote for it.

Now, for someone to ask me to say why and pre-empt me, I don't think they should be here. I feel that they would be a prophet or a carpetbagger to try to intimidate me or going from door to door. I'm only putting forth some of the input that I have. I have not voted yet either way. I think my colleagues, I never asked him to divulge their reasoning, and I don't want to know. This is my constitutional right. And if there's anyone who wants to know, he may wait until I vote. And I refute anything, and more especially from a carpetbagger.

**Mr. Coyne:**

Mr. President, I would just like to state that I am going to vote to uphold

the veto. That has been my position from the beginning. I think the figures you brought up today have been very enlightening; I wish I would have seen them sooner. It might have made a bit of a difference and I could have asked that to the Administration. However, I think we all need to be real realistic about this and lobbying, as Mr. Pollock says, goes on all the time. I don't think there's anything wrong with it, if it's you or Mr. Ferlo grabbing me and trying to convince me to go one way; or if the Administration grabs me or a colleague and tries to persuade them to go another way. And I think for certain colleagues to take shots at other ones, merely because we just have been part of the system and have gone along with listening to both sides of the argument is very unfair. And I think, as Mr. Pollock stated, we do need to vote our conscience and do what we think is in the interest of the City and then each and every individual Councilman will then have to live up to that choice that he or she makes. Thank you.

**Mr. Ferlo:**

In response, Mr. Chairman, I'm only saying to Mr. DePasquale and to my colleague, Mr. Lyons, to put your walking shoes on because next spring we're going to take this issue to the voters.

**The Chair:**

I would just like to say that there's nothing wrong with lobbying. I lobbied you people; I lobbied you, Mr. Coyne. But the thing is, when I lobbied you, I lobbied you with facts. They lobbied you with rhetoric. Here's the facts; they were in both budgets. All anyone in this Council had to do was look it up. They are facts; it's their figures. They're not Ben Woods' figures, they're not our budget office figures. These figures come from that Administration and that

money is sitting there. But remember this now, when you vote, and please remember once again, there's over \$2 million that has been sitting there to rehabilitate these pools, some going back as far as 1983. And all of it has been there for well over a year, two years, three years and some of it five years. And they're crying poor? Not on this issue. And it specifically says in the capital budget, pool rehabilitation. And I can find you in that same capital budget, and I have the figures here, other money that is sitting there.

So please, we're going to call the vote. Vote your conscience, and your conscience is, and I know all of you, is to override this veto. I know it, you know it, and you should exercise your conscience.

**Michelle Madoff:**

Mr. Woods, may I ask a question? I am sorry with all the dialogue that has gone on today, I missed the last thing you said. Are you saying that in the budget, in the capital budget, there is \$2 million that has been sitting there to rehabilitate the pools but was never used?

**The Chair:**

That's exactly right. And I forget your terminology for it, what do you call it, let it run down. The money has been sitting there since 1983, much of it.

**Michelle Madoff:**

So that money has been encumbered, the money has been there and we have not used that money.

**The Chair:**

You chose not to use it.

**Michelle Madoff:**

I beg your indulgence; I want to make a point. It isn't that I don't believe that the people cannot afford this small amount of money for the pools. That is not the issue. My issue is my gut issue initially before I was approached by the Mayor and that is that this is a fee on people that is an unprincipled fee. We are not talking about people who use our services that are non-City residents, the Zoo, the Aviary, the Conservatory, the Civic Arena, the Stadium, the debt service. We're talking about a city that has very little recreation to offer the poor and the middle income in a community albeit 1 pool for 12,000 people where they don't have pools, but it is something that they're already paying that fee by paying the four percent. That was my initial gut; I changed because I was prevailed upon by the Mayor.

Again, it's a matter of principle. People have called me and said, "I'm a senior citizen; I don't use the pool." I have other people who have called and said, "You're starting user fees. If you're going to do it, so be it; but get rid of the four percent wage tax."

I repeat, and I'll end on this note, Mr. President, there is such outrageous, immoral waste in the mismanagement of this City, that if we cleaned up our act and if we were responsible enough to force that clean-up by stopping the line that says, not to exceed, come and get us, we have \$2 million to give away, nobody come in at \$1 million. That is the most important thing. This is a minor, little example of why we must get our house in order.

**Mr. Lyons:**

Mr. Chairman, I have a question. This bill to override would be in '88.

**The Chair:**

Right. The pool fees would stay through '88 and in '89 they would be gone.

**Mr. Lyons:**

I think in '89, I'm just making the statement, it should be a big budget item for the 1989 budget.

**The Chair:**

Let me say this, and this is one thing that should convince you and then we're going to call the vote. We have always encumbered money; well over \$2 million just for pool rehabilitation. Let's spend this money and then, if you want, we can debate putting the pool fees back in. Let's vote to override this, spend this over \$2 million, and then come back when this money is spent and talk about pool fees. The is taxpayers' money; it's already been taxed. They already paid their fee for the future. Let's spend this money and then come back and talk about pool fees.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5                      NOES 3

(MR. COYNE, MR. DEPASQUALE AND  
MR. POLLOCK VOTING NO)

And there not being two-thirds of the votes of Council in the affirmative, the veto was sustained.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1273

Report of the Committee on Finance for August 10, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1165

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$159,617.20 in partial payment of an Emergency Contract for the Reconstruction of the Window Street Wall; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|           |                  |
|-----------|------------------|
| Mr. Coyne | Mr. Pollock      |
| Mr. Ferlo | Mr. Wagner       |
| Mr. Lyons | Mr. Woods        |
|           | (Pres't Pro tem) |

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1166

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Davis Marine Surveyors, Inc. in the amount of \$425.00 for Consultation on the River Safety Dock Facility; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1178

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of PSP America, 801 N. Rice Mine Road, Tuscaloosa, Alabama 35406, in the amount of \$6,000.00 in payment for the purchase of (2) two canine dogs and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|           |             |
|-----------|-------------|
| Mr. Coyne | Mr. Pollock |
| Mr. Ferlo | Mr. Wagner  |
| Mr. Lyons | Mr. Woods   |

Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1179

A Resolution entitled, "Resolution transferring the sum of fifty thousand dollars (\$50,000.00) from Code Account (1400), Index Code (140004), Salaries and Wages and seventy-five thousand dollars (\$75,000.00) from Code Account (1402), Index Code (140202), Uniforms and Equipment, Bureau of Administration, to Code Account (1400-1), Index Code (140012), Premium Pay, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Administration Premium Pay for the remainder of 1988."

Which was read.

Also,

Bill No. 1186

A Resolution entitled, "Resolution amending Resolution No. 385, effective June 6, 1988, entitled, 'Providing for the issuance of a warrant in favor of Pioneer Supply Company, Inc., to cover the costs of materials for manufacturing and installing neighborhood street signs' by changing the account year and index number from which this warrant should be paid."

Which was read.

Also,

Bill No. 1187

A Resolution entitled, "Resolution amending Resolution No. 357, effective May 31, 1988, entitled, 'Providing for the issuance of a warrant in favor of A & H Equipment Company to cover the cost of materials for manufacturing and installing neighborhood street signs', by changing the account year and index number from which this warrant should be paid."

Which was read.

Also,

Bill No. 1188

A Resolution entitled, "Resolution amending Resolution No. 384, effective June 6, 1988, entitled, 'Providing for the issuance of a warrant in favor of 3M Corporation to cover the cost of materials used for the City's neighborhood street sign test program' by changing the account year and index number from which this warrant should be paid."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1212

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred and Sixty-Six Thousand (\$166,000.00) Dollars from various code accounts to various code accounts, Department of General Services."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Lyons       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1216

A Resolution entitled, "Resolution providing for the issuance of a \$1,643.22 warrant in favor of Thomas Blow in



settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1217

A Resolution entitled, "Resolution providing for the issuance of a \$4,484.41 warrant in favor of The Salvation Army in settlement of claim for plumbing expenses in locating a malfunction on the City of Pittsburgh's main sewer line."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1218

Resolution amending Resolution No. 314, Item C, effective April 29, 1988, which authorized sale of property in the 13th Ward, 231-P-12 to Theodora L. Walker, to correct location.

Which was read.

Also,

Bill No. 1219

Resolution amending Resolution No. 314, Item B, effective April 29, 1988, which authorized sale of property at 630 Seagirt Street, 13th Ward, 231-A-357, to James C. Jones, to correct lot size.

Which was read.

Also,

Bill No. 1220

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1223

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chujko Brothers, Inc. in the amount of One Thousand Seven Hundred Eighteen Dollars, Fifty Cents (\$1,718.50) in payment for equipment rental services furnished for the benefit of the City without prior authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1224

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Geyer Printing in the amount of Nineteen Thousand Nine Hundred Fifty (\$19,950.00) Dollars in payment for printing services furnished for the benefit of the City without prior authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1117

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation study of psychological background testing and the administration, preparation, evaluation and research of Civil service entrance and promotional examinations; and providing for payment of the cost thereof."

Which was read.

**Mr. Wagner** moved to recommit Bill No. 1117.

**Mr. Lyons** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5      NOES 3

(MR. COYNE, MICHELLE MADOFF AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also, with an **AFFIRMATIVE RECOMMENDATION**,

Bill No. 1245

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$24,421.06 in payment of construction services in connection with the Reconstruction of a Retaining Wall at Phelan Way; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1248

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Swank Associated Companies, Inc., in the amount of Four Thousand Four Hundred Forty Six Dollars and Forty Four Cents (\$4,446.44), in payment for the cost incurred due to the City's decision to accommodate the residents on Beechwood Boulevard dealing with the milling operations on a Sunday."

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Ferlo

Mr. Pollock  
Mr. Wagner

Mr. Lyons                      Mr. Woods  
Michelle Madoff              (Pres't Pro tem)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Wagner presented**

Bill No. 1274

Report of the Committee on Finance for August 15, 1988 transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE RECOMMENDATION**,

Bill No. 1213

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 309 of the Home Rule Charter to provide for vacancy in the Office of City Council."

—(SPONSORED BY MR. WAGNER) (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Wagner** moved to recommit Bill No. 1213.

**Mr. Ferlo** seconded the motion.

WHICH MOTION PREVAILED.

Also, with an **AFFIRMATIVE RECOMMENDATION**,

Bill No. 1214

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters a referendum question which would amend Section 206 of the Home Rule Charter to provide for a vacancy in the Office of the Mayor."

—(SPONSORED BY MR. WAGNER)

Which was read.

**Mr. Wagner:**

Mr. President and members of Council, I have moved and all of you have agreed to recommit one of those two bills pertaining to the referendum question. We are left with one bill; the bill that relates to any elected official in the City of Pittsburgh holding two offices at one time.

I firmly believe that this piece of legislation is solid legislation. If we pass it today, it has a good opportunity of getting on the ballot in November and in the future, if the voters approve it in the affirmative, in the future we would not have any potential of an elected official in this City holding two offices at one time.

I am not in any way saying that the situation that exists today is a wrong situation for our Mayor. I respect her and I respect her position. I believe there is simply a void in the Charter. That is what this changes, hopefully, in the future. I used the analogy before, I don't think in any other level of government, at least not to my knowledge, can any elected official hold two offices. That situation exists today in the City of Pittsburgh; that situation needs to be corrected. Not only do we correct that but we leave open the possibility, not the possibility but certainly you will then be able to fill a

vacancy in the Council seat if somebody would leave during the next general election.

I strongly recommend the passage of this bill. Some Councilmembers have tried to tear holes in it; you can't tear holes in this bill. This is a good bill; it is good legislation and I hope that all Councilmembers will vote in the affirmative.

**Mr. Coyne:**

Mr. President, agreeing with the initial premise of Councilman Wagner that there is a situation in the City of Pittsburgh right now that needs rectified, I agree that legislation of this type is in order. However, to go forward to go with it would have the ends justify the means. Even though it's a good idea and hopefully it would lead to better City government, the means by which it came about in my opinion really didn't permit an open debate by the people of the City of Pittsburgh.

And something as important, as I've stated before, as changing the City Charter can't be something that is rushed through and done just for expediency. It's a very serious matter and something that I think we need to look at, not only from the legal viewpoint but also from the viewpoint of political scientists and professors at some of the great universities that this City is lucky to have. I think that citizen groups and other people that are interested out in the neighborhoods deserve equal right to be able to come in here and stand before Council and give their views. And the public hearing last week, although it did technically meet the requirements of a public hearing, I don't feel actually provided adequate chance for input on the part of the residents of the City. Therefore, I would have to vote no on this issue. Thank you.

**Mr. Pollock:**

Without question, there is need for this legislation. There are just two flaws that I have with voting on it at this time. Number one, I don't see the need to hurry; I don't see the need to rush this through without adequate public comment, without notice to and response from community leaders, political leaders, academicians and so forth. Any other piece of legislation of this importance, how the Mayor of Pittsburgh is succeeded in the event of a vacancy, would achieve all types of comment and I don't understand why we don't get that comment now.

It is also, right now as we are about to vote, unclear to me, and I am certain, unclear to every other member of this Council, what happens if this referendum would pass in November. It has not been made clear to me, and in fact, I think it is being intentionally made ambiguous, whether or not the current Mayor would then have to choose whether to return to Council or to continue in the Mayor's Office. I don't understand why that can't be cleared up. There was a statement from the drafter of the bill that he did not want that cleared up; he wanted it intentionally ambiguous. I don't understand. I don't know what's going on here. There are too many questions. There are ambiguities in the way it is written; the language needs to be polished up, the effective date needs to be placed in the bill, and there needs to be public comment from people far more learned and wiser than any of us. There is a problem that needs to be filled but there is absolutely no necessity to do it in a rushed manner when we have over almost a year and a half before it really should come into play. And we have two more ballots, two more elections after this one, for it to be on the ballot and plenty of time for public opinion, for public input into the way it should be on

the ballot, and then two times for the public to vote on it. So, yes, the legislation should be introduced, but just not now.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 5                      NOES 3

(MR. COYNE, MICHELLE MADOFF  
AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1269

A Resolution entitled, "Resolution transferring \$104,150.00 from Code Account 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927 (192708) Refunds, Department of Water."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Wagner:**

Mr. President, in accordance with Section 322 of the Home Rule Charter, publication effective date of legislation, I move that the effective date of Bills 1179 and 1214 shall be the date on which it is signed by the Mayor.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Ferlo presented**

Bill No. 1275

Report of the Committee on Public Works for August 10, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1099

A Resolution entitled, "Resolution

vacating Enfield Street at its northerly terminus 226.91 feet from Morewood Avenue in the Eighth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1141

A Resolution entitled, "Resolution vacating Scott Place between Fort Duquesne Boulevard and Penn Avenue in the Second Ward of the City of Pittsburgh."

Which was read.

**Mr. Ferlo:**

Mr. President and members of Council, on Bill 1141 which is a street vacation, Scott Way between Fort Duquesne Boulevard and Penn Avenue in the Second Ward. In another bill today

we approved a vacation for a developer in Shadyside who is building some very nice housing, a great asset to the City. We charged that individual about \$5,000. I believe very strongly, likewise, that the individuals, the property owners who are benefitting from the giving up of property in the Downtown area should also pay some fee. It has been determined by the Department of Real Estate of the City that a fair market value of that Scott Place is \$320,000. I think if it's good enough for the development in Shadyside, it's also good enough for those other interests that want to take over the property of Scott Place.

At this time I'd like to amend Bill No. 1141 by adding Section 3 to read as follows: "That this resolution, however, shall not take effect or be of any force or validity unless owners of all the property fronting or abutting Scott Place as vacated by this resolution pay into the Treasury of the City of Pittsburgh the sum of \$320,000 for the use of the City of Pittsburgh."

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

Just to clarify further, Mr. President, there was a discussion. I know we had a hurried meeting in the Finance Committee Meeting, but we discussed this bill as well as the vacation of property at the end of Enfield Street in the Eighth Ward. On that bill I wanted to waive the fee because of Mr. Pellegrini's comments about the public good. I've been trying to make the argument on that bill that this gentleman, at great expense and possibly taking a financial risk, is building some high income housing in that area in the Eighth Ward and, if anything, I think we should be applauding him. We're talking about houses that are going to sell for

\$130,000. I showed Council the over \$100,000 in income that we will receive in school and property and wage taxes and I thought, if anything, we should waive that \$5,000 and let this developer use the money for marketing and make sure that he sells all the homes. Council wasn't even willing to second my amendment to do that so I think what's good for the goose is good for the gander.

We should, on this bill, since it always seems when it's Downtown corporate interests, we can pick up the phone and call Sophie or call Pellegrini, we bend over backwards to get what they want. I think they should pay the piper just like anybody else.

If we're going to vacate Scott Place and give them the property, then I think they should pay the fair market value. We are in receipt of a letter from the real estate division, Mr. Chairman, that suggests that the fair market value without a building is \$320,000 for that property. If they chose to build a building, which they have some limitations to do, it's value would be over \$600,000. So, my amendment is to basically ask for this money. This is the only group we've given a secure income to the year 2062.

**Mr. Pollock:**

The only point I was going to make is that this is an extremely significant motion and I don't feel qualified or competent at this time to address it without input from the Law Department as to the legality of it and from others who would be able to inform me of the merits of it.

**Mr. Ferlo:**

Mr. Chairman, I would certainly be willing to recommit this bill to engage in

this discussion. I again make the point that this Council and the Mayor should decide what the public good is. If there is a public good in giving away this land, let's see a development plan for the area.

I move to recommit.

**Mr. DePasquale** seconded the motion.

**Mr. Pollock:**

What happened to the motion to amend?

**Mr. Ferlo:**

I withdraw it if Mr. Coyne is willing to withdraw his second.

**Mr. Coyne:**

I withdraw my second.

**Mr. Ferlo:**

I make a motion to recommit so that we can have the discussion Mr. Pollock has talked about.

**Mr. DePasquale** seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1247

A Resolution entitled, "Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled, 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by transferring Code Account PW 86-13, Oranmore and Brintell, to the 1987 Capital Budget and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1249

A Resolution entitled, "Resolution repealing Resolution No. 443, effective June 16, 1988, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at Oranmore and Brintell, and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1250

A Resolution entitled, "Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled, 'Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1251

A Resolution entitled, "Resolution amending Resolution No. 97, effective February 16, 1987, entitled, 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof,' by increasing the total allocation by \$450,000.00."

Which was read.



Also,

Bill No. 1252

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1253

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, entitled, 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1254

A Resolution entitled, "Resolution amending Resolution No. 175, effective March 30, 1988, entitled, 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto; and providing for the payment of the costs thereof,' by increasing the total allocation by \$100,000.00."

Which was read.

Also,

Bill No. 1255

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 1276

Report of the Committee on Public Works for August 15, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1268

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1277

Report of the Committee on Planning, Housing and Development for August 10, 1988 transmitting two ordinances and sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1189

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution No. 101 and by Resolution No. 201 of 1986, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', by changing the title of a line item in the Department of Housing."

Which was read.

Also,

Bill No. 1190

A Resolution entitled, "Resolution amending Resolution No. 675 of 1986, effective July 1, 1986, entitled: 'Providing for an agreement or agreements with a consultant or consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program'."

Which was read.

Also,

Bill No. 1191

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981, and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212 and 1012 of 1983, and by Resolution No. 151 of 1984, and by Resolution No. 115 of 1988, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing Urban Development for a grant in connection with the 1981 CDBG Program' so as to change the title of a line item in the Department of Housing."

Which was read.

Also,

Bill No. 1192

A Resolution entitled, "Resolution authorizing the Mayor and the Director of City Planning to enter into Agreements with consultants, for the purpose of conducting planning and management studies, at a cost not to exceed Two Hundred Eighty Thousand Dollars (\$280,000.00)."

Which was read.

Also,

Bill No. 1193

A Resolution entitled, "Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1194

A Resolution entitled, "Resolution amending Resolution No. 659, effective August 1, 1987, entitled, 'Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof; so as to increase the amount encumbered from \$422,000 to \$547,000.'"

Which was read.

Also,

Bill No. 1195

A Resolution entitled, "Resolution amending Resolution No. 748, effective August 1, 1986, entitled, 'Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1196

A Resolution entitled, "Resolution amending Resolution No. 629, effective July 17, 1985, as amended by Resolution No. 572, effective July 10, 1986, entitled, 'Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1197

A Resolution entitled, "Resolution amending Resolution No. 550, effective July 20, 1988, entitled, 'Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for professional services in an amount not to exceed \$20,000.00' so as to provide for the 'Repair or Replacement of Sidewalks' in the Spring Garden Neighborhood."

Which was read.

Also,

Bill No. 1198

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 517 and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980; and by Resolution No. 1203 of 1981; and by Resolution Nos. 393 and 1013 of 1983, entitled, 'Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program', so as to change a line item title in the previously existing Housing Department (from 'Neighborhood Development Office' to 'Neighborhood District Office - Help Subsidized Loans')."

Which was read.

Also,

Bill No. 1199

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Citizen Corporation for the sale of Parcel 161 in

the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (Resale for Rehabilitation)."

Which was read.

Also,

Bill No. 1200

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Raymond A. Henke and designated as Block 22G, Lot 198 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1201

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the City of Pittsburgh (Resales for Rehabilitation)."

Which was read.

Also,

Bill No. 1202

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the

1988-1989 Community Development Block Grant Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1203

A Resolution entitled, "Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Parkway Center Urban Development Action Grant Project."

Which was read.

Also,

Bill No. 1204

A Resolution entitled, "Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Station Square Urban Development Action Grant Project."

Which was read.

Also,

Bill No. 1205

A Resolution entitled, "Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the North Side Urban Development Action Grant Project."

Which was read.

Also,

Bill No. 1206

A Resolution entitled, "Resolution providing for a Fifth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1976 Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1207

A Resolution entitled, "Resolution amending Resolution No. 435, effective May 8, 1981, entitled, 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program, and providing for the payment of the cost thereof' to change the title of a line item."

Which was read.

Also,

Bill No. 1208

A Resolution entitled, "Resolution further amending Resolution 472, effective May 29, 1979, as amended by Resolution 649, effective July 20, 1979, as amended by Resolution 973, effective November 7, 1979, as amended by Resolution 287, effective April 18, 1980, as amended by Resolution 1129, effective November 7, 1980, by changing the title of a certain line item."

Which was read.

Also,

Bill No. 1209

A Resolution entitled, "Resolution further amending Resolution No. 313, effective April 25, 1980, as amended by Resolution No. 822, effective August 25, 1980, as amended by Resolution 1130, effective November 7, 1980, as amended by Resolution 760, effective August 10, 1981, by changing the title of a certain line item."

Which was read.

Also,

Bill No. 1210

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Albert M. McDonald and designated as Block 46J, Lot 264 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne                      Michelle Madoff  
Mr. DePasquale              Mr. Pollock

Mr. Ferlo  
Mr. Lyons

Mr. Wagner  
Mr. Woods  
(Pres't Pro tem)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 850

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6, by changing: From "R4" Multiple-Family Residence District and "C3" Commercial District to "A1" Commercial-Residential Associated District all that certain property bounded by: East Street; Tripoli Street; the easterly property boundary of Lots No'd. 171, 169, 168 and 167, Block 23-M in the Allegheny County Lot and Block System; the northerly property boundary of Lot No. 167, Block 23-M in the aforementioned System, and Middle Street, 23rd Ward." —(SPONSORED BY MR. WOODS) (AS AMENDED BY SUBSTITUTE)

Which was read.

Mr. Lyons moved to recommit Bill No. 850.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

Bill No. 1103

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine 'Zoning', Article IV 'Planned

Development Districts, Section 973.03 'District Classifications' and Section 973.09 'Special Provisions' by Revising the Development Regulations for the 'SP-1' Pittsburgh Technology Center located along Second Avenue being the site of the former Jones & Laughlin Hot Strip Mill."

Which was read.

Also,

Bill No. 1256

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to receive funds from the Authority to fund community development corporations; providing for the creation of a special trust fund in connection therewith; and providing for the deposit of the funds in the trust fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 1278

Report of the Committee on Planning, Housing and Development for August 15, 1988 one resolution to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 1185

A Resolution entitled, "Resolution amending Resolution No. 269, approved March 23, 1987, entitled: 'Providing for the implementation of a Residential Permit Parking Program in portions of the Squirrel Hill-CMU community pursuant to Pittsburgh Code, Chapter 549, so as to amend the streets included in Area K.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Woods presented**

Bill No. 1279

Report of the Committee on Parks and Recreation for August 10, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1257

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Brushton Stinger Athletic Club for professional services in connection with their Football Program, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838, Miscellaneous Services (183806), in the Department of Parks and Recreation." — (SPONSORED BY MR. LYONS)

Which was read.

**Mr. Wagner:**

Mr. President and members of Council, last week when there was heated discussion on this legislation I requested a listing for the last several years of all discretionary funds. I simply want to know if all Councilmembers received a copy of that list from our budget staff.

**Mr. Lyons:**

We did.

**Mr. Wagner:**

Thank you.

**Mr. Pollock:**

I'd like my comments brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)



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BEGINNING - MR. POLLOCK'S COMMENTS ON BILL NO. 1257 - WEDNESDAY, 8/10/88)

Mr. Pollock:

I would also like to point out Ben, that this group was one--and I'm 99 percent sure--maybe Mr. Vaughn or Mr. D'Allesandro can correct me. They took a shot at budget time and either got some or didn't get enough or didn't get some and so they're coming back to the well for a second shot and I think that's a horrible, horrible way of doing business and I've said it before that you go through the budget process, you either take what you get or you get nothing and that's all you get but you don't prevail upon some Councilmember to introduce it during the year and then--it's just not fair to all the other groups that go through the process and I have been saying this for months and people give away these monies, parades and all this other stuff.

I want to make my objection to this very clear Mr. Lyons, because you brought up the question of it being a poor minority football team.

I have opposed for two years now every one of these in a totally non-discriminatory manner regardless of race, color, creed, neighborhood. I consider them inappropriate for Council, how can this Council give out money for football teams when I and other members of this Council couldn't vote to give out money for food. I mean, you have to eat before you can catch a pass or throw a pass, I think that's more appropriate. So I can't very well justify giving out money to sports teams and neighborhood parades and drug parades and veterans parades. I mean, they're all very nice and they're great politically but they are inappropriate for City Council to be spending in light of our current tax structure. So I'm the only one who has opposed every single one of these over the last two years, had not introduced any of these over the last two years and not only am I opposed to them in principle, but in addition to that Mr. Lyons, I think there's an issue of fairness, not fairness among colleagues but fairness among the public and that is as follows:

I don't think you've been through a budget process yet but at the end of the year we go through a very, very lengthy budget process. Every one of these groups that wants money, whether it be a veterans parade, a neighborhood group, a sports team, a football team, a little league team, has to make a thorough application, complete application listing all its sources of revenues, its officers, its address, how many city residents it serves, a whole written application that our budget staff has on file. That application is on review and it sits before us and in

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addition to that, that group has to make an appearance before Council; has to make an appointment to come down wait their place in line, either one night or one morning, take off from work, get a place to park, come down and testify before Council and then they're reviewed by this Council at budget time and then it's monies doled out. For somebody to then prevail upon a member of Council during the year, "Hey, how about introducing a bill for us?" That is patently unfair. It is unfair. All these other football and basketball and baseball teams went through an arduous process with an application, with an appointment, with a review, with testimony with a review by Council and that is a fair process and to either take a second bit of the apple or take a second shot at it or to by-pass that process is not fair to all of the dozens and dozens of groups that did go through that process. So Number One, you have no review, Number Two, you have patent unfairness and Number Three you have an inappropriate expenditure of city monies, so for all of these very, very clear and concise and excellent reasons these should definitely not be entertained during the year and if they are entertained, they should be defeated. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 1280

Report of the Committee on Public Safety for August 10, 1988 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 565

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title 10 - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process." —(SPONSORED BY MR.

**POLLOCK) (AS AMENDED BY  
SUBSTITUTE)**

Which was read.

**Mr. Pollock:**

This bill has to be recommitted because the Board of Code Review does have to correct and review it. We're dealing with two different departments; Planning said it was okay but Public Safety said it had to go back. I apologize.

I move to recommit. Or, rather, I move to refer to the Board of Code Review.

**Mr. Wagner** seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1180

A Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |

Mr. Lyons

Mr. Woods  
(Pres't Pro tem)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1281

Report of the Committee on Engineering and Construction for August 10, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1167

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Reconstruction of Grant Street, Phase 4, from Fourth Avenue to Fort Pitt Boulevard including sewer reconstruction, waterline reconstruction, street lighting, necessary work on private property, and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1168

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for lighting at

various sites including, but not limited to West Penn Ballfield; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1169

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Rehabilitation of the Shadeland Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1170

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Reconstruction of the South Highland Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1171

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the In-Depth Inspection of the Corliss Tunnel; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1172

A Resolution entitled, "Resolution further amending Resolution No. 1269, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, as amended by Resolution No. 522, approved June 12, 1980, as amended by Resolution No. 725, approved August 6, 1980, as amended by Resolution No. 756, approved July 26, 1982 as amended by Resolution No. 1187, effective November 30, 1982, entitled, 'A Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by increasing the total project allocation by \$319,000.00 from \$1,655,200.00 to \$1,973,200.00."

Which was read.

Also,

Bill No. 1173

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the South Side Local Development Council for implementation of the design and construction of the Birmingham Plaza at 12th and Carson Street; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1174

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for Street Tree Planting in Various Neighborhoods and Business Districts, and the Landscaping of the Martin Luther King Reading Room; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1175

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the Melancthon Street Pedestrian Bridge; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1176

A Resolution entitled, "Resolution amending Resolution No. 1057, effective December 22, 1987, entitled, 'Providing for a Contract or Contracts for the Rehabilitation of the Ohio River Boulevard Bridge over Eckert Street and the Ohio River Boulevard Bridge over Verner Avenue; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; providing for a Reimbursement Agreement or Agreements with the Equitable Gas Company; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$615,000.00 from \$3,585,000.00 to \$4,200,000.00."

Which was read.

Also,

Bill No. 1177

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled, 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by creating two (2) new line items (EC 88-74 and EC 88-75) and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1246

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the T-1 Ramp at the Stadium between Reedsdale and Ridge Avenues; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Wagner:**

Mr. President and members of Council, I'm sure that everyone read within the last couple days in the media and you've heard on the news that Blue Cross of Western Pennsylvania has announced plans to increase premiums on its drug prescription program for senior citizens, effective very shortly, actually, September 1st of this year. Two other health care programs will also increase on September 1st.

This increase was granted by the State of Pennsylvania Insurance Department. The increases are significant and affect, primarily, senior citizens. Senior citizens are the people who need this service the most and, in most cases, are least likely to be able to afford it.

The City of Pittsburgh and Allegheny County has a very large senior citizen population that will be severely impacted by these rate increases. Senior citizens, for the most part, are on fixed incomes. They budget their monies very carefully in order to live. This rate increase came from nowhere, in essence - I did not hear about it; I don't know if anyone else heard about it - with no prior warning and will cause an adverse impact on the budgets, I believe, of our senior population. To my knowledge, no public input was received on these increases by the Commonwealth of Pennsylvania Insurance Department, and, if so, that has not been published in any of the articles that have come out on the issue.

I would ask that this Council send a strong letter to Governor Casey asking him to suspend these rate increases until a public hearing before the Insurance Commission can be held. The Governor has the power to do this; we should ask that we utilize it and let the people affected by the increase tell what impact this would have on their finances and their budget. Maybe some innovative ways could be found to avert the increase and costs could be covered some other way or, at the very least, possibly lowered.

So, I'd like to do it in a form of a motion, that a letter be sent to the Governor asking the Insurance Department to suspend temporarily this rate increase and to have some public hearings, some public input, in regard to it. And, in addition, I'd like to say, this is not part of the motion, but I would ask that the public, the general public that is impacted the most, write the Governor and affirm the position that they would like to see this suspended and the increases reduced as much as possible.

**Michelle Madoff** seconded the motion.

**Michelle Madoff:**

I'd like to also see that we get some input as to generic drugs. There are very few drugs that can be -- We all know what generic means, it's a non-brand name product. 99.9 percent of the generic drugs are identical to the brand names with very few exceptions, and those exceptions could be subject to the doctors approval, where people could use the generic drug at probably 10 percent of the cost of the name brand drug. And I think for senior citizen, certainly, that should be part of the availability and they should know which drugs can be substituted. And we ought to encourage the medical profession, we ought to have the Allegheny County Medical Society

and the National Medical Society tell its physicians to stop worrying about getting ads in their journals from the drug houses who have the big names and to exempt those people who are least likely able to pay. I think that should be part of whatever we contact the Governor with.

**WHICH MOTION PREVAILED.**

**Mr. Lyons:**

Mr. Chairman, very quickly, and thank you for the privilege. Regarding my bill, 1257, the \$2,500 to the Stingers, my colleague, Mr. Pollock, asked for his remarks to be brought forth from last Wednesday on a negative vote. Well, I challenge that his statement wasn't true. What he said last Wednesday is that in the past two years he has not voted in the affirmative for anything in discretionary spending beyond the budget. That is not so. In 1987, less than a year ago, he voted \$60,000 out. But I just want that to be part of the Record.

**Mr. Pollock:**

What I said, Mr. Lyons, was that I had opposed every single grant to Little League teams, football teams, neighborhood organizations, parades. These kinds of things is what I said I opposed. I voted for a couple others in the past besides the \$60,000 you spoke of. I voted for other ones besides that \$60,000. What I said I opposed is this indiscriminate giving away, and that was in response to your allegation that it was a racial thing, why I was opposed to this group, and I was pointing out to you that it had nothing to do with race, that I had opposed every other Little League team, every other football team, every other softball team, every other neighborhood group, every other parade, every other veterans group. Every other little thing like that is what I had opposed every

time in the last two years. I wanted to clarify that.

**Mr. Lyons:**

But you made the point, and I'll answer it quickly, you made a point that it was discretionary spending. That was the bottom line. Discretionary spending beyond budget time.

**Mr. Wagner** moved to approve the Minutes of Wednesday, July 13, 1988 and Monday, July 18, 1988.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I move to adjourn this meeting and meet again on Tuesday, September 6, 1988 at 2:00 p.m.

**Mr. Lyons** seconded the motion.

**Michelle Madoff:**

Clarification. For the next year, will we go back to the 2:00 meeting as opposed to the 10:00 meeting? What was the purpose of that?

**The Chair:**

For the summer.

And on the motion of **Mr. Wagner**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Tuesday, September 6, 1988

No. 34

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA

Tuesday, September 6, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presents

No. 1326 WHEREAS, on Friday, Saturday and Sunday, August 26-28, 1988, the 1988 Pittsburgh Irish Festival will be held reminding us once again of

the ethnic vitality of our City; and

WHEREAS, this Festival, held on the Riverfront at Station Square, will include Irish music, dancing, cultural displays and exhibits; and

WHEREAS, this Festival not only helps to promote and cultivate a better understanding of Irish culture, but also raises funds for the Children's Friendship Project of Northern Ireland; and

WHEREAS, the Children's Friendship Project for Northern Ireland is a program that promotes peace through the children of Northern Ireland both Catholic and Protestant.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend the organizers, volunteers and attendants of the 1988 Pittsburgh Irish Festival for their contributions, both to Pittsburgh's ethnic vitality and to peace in Northern Ireland.

Mr. Coyne moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

##### Michelle Madoff:

May I please ask Cindy Burch, Dorcas Evans Miller, Barbara Nichols and Peggy Anderson, President of the Board, to join me please?

**Michelle Madoff presents**

No. 1327 WHEREAS, it has been a goal of our city to promote activities which foster the health and well-being of all of our citizens; and

WHEREAS, the participation of women in sports advances those goals for participants and spectators alike; and

WHEREAS, the participation of women in sports fosters personal growth and a sense of confidence and thus promotes strong bodies and enduring spirits; and

WHEREAS, women have historically enjoyed the numerous benefits and accepted the challenges or participation in amateur and professional sporting activities; and

WHEREAS, the participation of women in sports advances women's struggle toward a society free from discrimination based upon one's gender; and

WHEREAS, the participation of women in sports is an integral part of women's equal participation in all of the goals of our society; and

WHEREAS, the Oakland Women's Center shall sponsor the first annual multi-event women's amateur sports competition called **run, jane, run Women In Sports**; and

WHEREAS, the City of Pittsburgh wishes to encourage and support the **run, jane, run** competition.

NOW, THEREFORE, BE IT RESOLVED, that the week of September 5th to 11th will be known as "**Women in Sports Week**" in the City of Pittsburgh and we encourage women to participate in the **run, jane, run** competition and

would further encourage every citizen and institution in the City of Pittsburgh to join the efforts of the Oakland Women's Center to promote and recognize the efforts and accomplishments of women in the **run, jane, run** competition and in all women's sporting events in every way possible by providing sponsorship, volunteering services, encouraging the competitors, and applauding the efforts of all involved.

**Michelle Madoff** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Ms. Anderson:**

I'm Peggy Anderson and I'm the President of the Board at the Oakland Women's Center and I would like to thank Council for taking this step to give women athletes in Pittsburgh the recognition and support that they so richly deserve.

We look forward to **Run, Jane, Run** becoming an integral part of the sports tradition that helped make Pittsburgh the City of Champions. Thank you.

**Mr. Coyne** presented

No. 1282 Resolution providing for an Agreement or Agreements with the Greenfield Cougars for professional services in connection with their football program at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, in the Department of Parks and Recreation.

—(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1283 Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$195,372.55 in partial payment of an Emergency Contract for the Reconstruction of the Windom Street Wall, payable from Code Account EC 88-24 - \$162,339.89 and Code Account EC 87-12 - \$33,032.66.

(PRIOR APPROVAL GRANTED)

Also,

No. 1284 Resolution providing for the issuance of a warrant in favor of Michael Chirigos, Architect, in the amount of \$410.00 for professional services in connection with Window Replacement at Fire Stations #10, #12, #13, #14 and Police Station #4, payable from Code Account LB 83-17.

Also,

No. 1285 Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$2,430.00 for the installation and phone line drop charges for an electronic security system at the Hazelwood Car Barn Citizens Center, payable from Code Account EC 88-45 - \$1,980.00 and Code Account EC 86-59 - \$450.00. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1286 Resolution further amending Resolution No. 671, effective August 25, 1987, as amended by Resolution No. 1053, effective December 22, 1987, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for the Construction/Reconstruction of Various Retaining Structures, including but not limited to Marietta Street, Bellingham Avenue, Crotzer Street, Old Banksville Road, Tunstall Street and Dartmore Street; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$350,000.00 to \$803,000.00, chargeable to and payable from Code Account EC 86-29 - \$653,000.00 and Code Account EC 87-12 - \$150,000.00.

Also,

No. 1287 Resolution further amending Resolution No. 155, effective December 2, 1977, as amended by Resolution No. 99, effective February 28, 1980, as amended by Resolution No. 1290, effective December 11, 1980, as amended by Resolution No. 698, effective August 25, 1983, as amended by Resolution No. 764, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements or Supplemental Agreements or Agreements for Professional Services connected with the design for replacement of the Pennsylvania Avenue Bridge and Approaches; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$5,496.19 from \$176,000.00 to \$171,003.81, chargeable to and payable from the 1976 CDBG Program, CDPW 76-14.

Also,

No. 1288 Resolution further

amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, as amended by Resolution No. 288, effective April 16, 1986, as amended by Resolution No. 671, effective August 11, 1986, as amended by Resolution No. 421, effective May 29, 1987, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants to perform professional services on various City Facilities on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof," by increasing the total project allocation by \$15,000.00 from \$384,301.50 to \$399,301.50.

Also,

No. 1289 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Joseph Tumas, Joseph Semieraro and Stephen Shanley to inspect the fabrication and assembly of the new Bridge Inspection Truck in Duluth, Minnesota, August 10-11, 1988, at a cost not to exceed \$250.00, payable from Code Account No. 1482. The purpose of this trip is for the Consultant and the Bridge Inspection crew to inspect the fabrication and assembly of the new Bridge Inspection Truck prior to delivery. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1290 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to

purchase traffic complaints and summons books for the Bureau of Police at a cost not to exceed \$12,400.00, chargeable to and payable from Code Account 1449, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Also,

No. 1291 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Eunice Nelson to attend the National Black Police Association Conference in New Orleans, Louisiana, September 4-11, 1988, at no cost to the City of Pittsburgh. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1292 Resolution changing the name of Grant Street to Richard S. Caliguiri Boulevard. —(SPONSORED BY MR. FERLO)

**Mr. Ferlo:**

Point of Procedure. At what point would it be appropriate to make a motion to televise the hearing on the renaming of Grant Street?

**The Chair:**

On Wednesday.

**Mr. Pollock:**

Point of Order. I think that's mandated, isn't it?

**The Chair:**

We're going to have one anyway, but Wednesday would be fine.

Also,

No. 1293 Resolution vacating portions of Brighton Place, Jacksonia Street and Unnamed Way, in the 25th Ward of the City of Pittsburgh, in accordance with the provisions of the Pennsylvania/Brighton Redevelopment Area Plan and the Pennsylvania/Brighton Cooperation Agreement.

Also,

No. 1294 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for himself and Ralph Kraszewski to attend the International Public Works Congress and Equipment Show in Toronto, Canada, September 24-29, 1988, at a cost not to exceed \$2,800.00, payable from Code Account No. 1502, Miscellaneous Services, Director's Office. (PRIOR APPROVAL GRANTED)

Also,

No. 1295 Communication from James N. Walker, Director, Department of Environmental Services, requested authorization for Robert Lewis and Phyllis Gibson to attend the Pennsylvania Vector Control Association's Annual Training Conference at State College, Pennsylvania, September 28-30, 1988, at a cost not to exceed \$650.00, payable from Code Account No. 1176, Miscellaneous Services. The conference will cover the topics on: dulusory parasitosis, patomic horse fever, raccoon parasites, rats & mice, cockroach allergies, bird control, lyme disease, etc., and a representative from the Pa. Department of Agriculture will be present for the pesticide applicators

license requirements.

Also,

No. 1296 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Phyllis Gibson, Elaine Hauser, Ruby Allen and Jean Todd to attend the Center for Hazardous Materials Research Seminar at the University of Pittsburgh Applied Research Center in Harmarville, PA, September 6, 1988, at a cost not to exceed \$170.00, payable from Rodent Control Program Account. Permission is also requested for use of a City vehicle. The seminar will be an update training for persons with the Applicator's License. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1297 Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Pittsburgh Parking Authority to construct a four (4) level parking garage on the existing Bellefonte Street to Telegraph Way parking lot, and two (2) level parking decks on the existing Bellefonte Street to Filbert Street parking lots to connected by bridges over Bellefonte Street and Culloden Way, 7th Ward.

Also,

No. 1298 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with North Side Civic Development Council, Inc. for an amount not to exceed \$10,000.00 payable from the Neighborhood Housing Fund for curb

and sidewalk work to facilitate the residential development at the corner of Chautauqua and Holyoke Streets (Block 46J, Lots 140, 141, 143). The developer is a Pennsylvania corporation. The officer is Thomas E. Cox, President.

Also,

No. 1299 Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of two (2) single family units to be constructed in the 26th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The developer is a Pennsylvania corporation. The officer is Thomas E. Cox, President.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 1300 Resolution amending Resolution No. 89, effective February 29, 1988, entitled: "Providing for the letting of a Contract or Contracts, or to exercise against existing contracts, for various repairs and renovations," by increasing the amount from \$125,000.00 to \$250,000.00, chargeable to and payable from Code Account (GS-88-04), Bureau of Repairs & Operating Maintenance, Department of General Services.

Which was read and referred to the Committee on General Services.

**Mr. Pollock moved to suspend Rule 8** by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

**Ms. Madoff seconded the motion.**

Which motion prevailed.

Also,

No. 1301 Resolution providing for the issuance of a warrant or warrants totalling \$20,590.00 for payment to various vendors as sole source manufacturers of this equipment, for expenses incurred during the disassembling and moving of specialty equipment from the Public Safety Building, in order to protect the warranties on this equipment. Funds are available in Code Account 4-30-01-0010-88, Index Code 370692, Retrofit of Public Safety Building, Department of General Services.

Also,

No. 1302 An Ordinance supplementing Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person. —  
(SPONSORED BY MR. POLLOCK)

Which were read and referred to the Committee on Finance.

Also,

No. 1303 Resolution amending Resolution No. 558, effective June 20, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants, for the Certification of Business Firms as Minority Owned or Women Owned for the City," by increasing the allocated amount by \$12,000.00 from \$12,000.00 to

\$24,000.00, chargeable to and payable from Code Account 1128, Miscellaneous Services, Department of General Services.

Also,

No. 1304 Resolution providing authorization to enter into a Contract or Contracts by the City of Pittsburgh with the Urban Consortium Energy Task Force (UCETF) for a grant in connection with the Alternative Vehicle Fuel Usage Project; providing for the execution of a Grant Contract; providing for required assurances; providing for the deposit of the funds in a bank account of a special trust fund; and upon approval thereof, for an Agreement or Agreements for an internship for a graduate student or students and with a consultant or consultants for professional services in conjunction therewith. The City of Pittsburgh applied for and received a grant of \$52,000.00 in the 1988-1989 Program of the UCETF to determine the feasibility of having City of Pgh. vehicles converted to operate on both gasoline and natural gas, in order to determine performance and economic evaluation of converted gasoline vehicles.

Also,

No. 1305 Resolution providing for a Professional Services Agreement or Agreements with a consultant or consultants for services related to the recovery of telephone and other communication services overpayments at a cost not to exceed \$1,500,000.00, chargeable to and payable from the Telephone Auditing Refund Trust Fund (TARTF). The City Controller is authorized and directed to transfer \$10,000.00 from Code Account 1132-2, Telephone Service and Equipment, Dept. of General Services, to the Telephone and other Communication Carriers, these

funds will be transferred back to Code Account 1132-2, Telephone Service and Equipment, Dept. of General Services.

Also,

No. 1306 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery and one (1) Mobile Seating Unit for use by City departments, at a cost not to exceed \$13,000.00, chargeable to and payable from Code Account GS 88-03, Miscellaneous Equipment for City Departments, Department of General Services.

Also,

No. 1307 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Sue Gove and John Davis to attend the Urban Consortium Energy Task Force Year 10 Program, New York City, New York, September 21-24, 1988, at no cost to the City of Pittsburgh. This program will include information on alternative vehicle fuels, energy conservation, waste management including hazardous waste disposal, and other energy saving efforts, with a focus on the examination of such projects currently in operation across the country.

Which were severally read and referred to the Committee on General Services.

Mr. Wagner presented

No. 1308 An Ordinance amending Ordinance No. 24, approved December 27, 1987, Section 1, 180.01 Definitions, Subsection A-4 by including Operations Coordinator, Chief Inspector, Audit Manager, Chief Auditor, Contracts Supervisor, and Bookkeeping Supervisor, in the "Noncareer Service" positions of

the City Controller's Office.  
—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

Point of Order, Mr. Chairman. Could you please tell me, clarify what that bill is please? I'm not sure.

The Chair:

It will be discussed tomorrow but he's going to try to exempt certain positions in the Controller's Office from Civil Service.

Michelle Madoff:

Okay. I just wanted to know what it was.

Also,

No. 1309 Resolution providing for the issuance of a warrant to Mary Hummel and Stephen A. Hummel, in the amount of \$5,000.00 in full settlement of claim for personal injury, arising from a fall down on March 15, 1986, in a public street known as Emlin Way in the City of Pittsburgh, causing injuries to the wife-plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 1310 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Neighborhood Employment Program at a cost not to exceed \$71,548.00, chargeable to and payable from the 1983 CDBG Program, Department of Personnel and Civil Service Commission (CC-88-42).

Also,

No. 1311 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program at a cost not to exceed \$60,000.00, chargeable to and payable from the various JTPA Trust Funds, federal funds.

Also,

No. 1312 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City in accordance with Act No. 171 of 1984 and providing for the forfeiture of hand money.

Also,

No. 1313 Resolution Repealing Resolution No. 38, approved February 3, 1988, which repealed Resolution No. 38, Item C, approved February 2, 1987, which authorized the sale of property in the 11th Ward, Block 83 B, Lot 96, known as 5536 Baywood Street. Repealing Resolution No. 38 approved February 3, 1988, was initiated as the former owners filed a Petition To Redeem the property.

Also,

No. 1314 Resolution Repealing Resolutions approved on various dates



authorizing the sale of properties in various Wards of the City in accordance with Act No. 171 of 1984 and providing for the forfeiture of hand money.

Also,

No. 1315 Resolution Repealing Resolution No. 184, Item F, approved March 25, 1988, which authorized the repealing of Resolution No. 735 of 1986, Item C, which authorized the sale of property in the 14th Ward, Block 175 P, Lot 49, known as 7724 Brashear Street. Repealing Resolution No. 184, Item F, was initiated as it was believed that the purchaser had not complied with the steps of the sale procedure and had not paid the balance of purchase price in the time span allotted to do so.

Also,

No. 1316 Resolution providing for the acquisition from Richard R. and Betty Ann Ulicny for the development of a Tot Lot, property located in the 15th Ward, fronting on Saline Street at the intersection of Alexis Street, designated as Block 29-M, Lot 51 for the sum of \$10,000.00, plus \$750.00 cost of title exam, recording of deed and other proper closing expenses incurred in the purchase of said property.

Also,

No. 1317 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1318 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired

at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1319 Communication from James Turner, Director, Department of Finance, requesting authorization for Daniel Jeffreys to attend the American Payroll Association's Second Annual Government/Public Sector and Utilities Payroll Conference, Washington, D.C., September 18-20, 1988, at a cost not to exceed \$1,145.00, payable from Code Account No. 1063, Miscellaneous Services. The workshop sessions will include wage and hour session, garnishments, levies and withholding orders, time and attendance systems, dealing with the IRS, managing the payroll department audit and controls, employee benefits in the government environment. (PRIOR APPROVAL GRANTED)

Also,

No. 1320 Communication from Dante Pellegrini, City Solicitor, Department of Law, requesting authorization for himself to attend a conference entitled, "Local Government Strategies for Environmental Compliance", in Washington, D.C., September 22-24, 1988, at a cost not to exceed \$1,229.34, payable from Code Account No. 1075, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Also,

No. 1321 Communication from Melenie Smith, Director, Department of Personnel, requesting authorization for Bill Jarzabek to attend a meeting at the request of the Pennsylvania Department of Labor and Industry Management Information System Task Force, in Harrisburg, PA, September 15, 1988, at a

cost not to exceed \$286.00, payable from the JPTA-1 Trust Fund, federal funds. The purpose of the meeting is to provide technical assistance to the Task Force on behalf of the City and the Pennsylvania JTPA Service Delivery Area Association in the discussion of various issues concerning State management information system utilization and costs. (PRIOR APPROVAL GRANTED)

Also,

No. 1322 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend a meeting of the U.S. Department of Labor/National Alliance of Business Regional Forum in Washington, D.C., September 7-8, 1988, at a cost not to exceed \$446.00, payable from JTPA-1 Trust Fund, federal funds. The purpose of the meeting is to discuss national, state, and local perspectives on the operation of the Job Training Partnership Act and to develop consensus for changes to the Act to increase the effectiveness of service to the economically disadvantaged. (PRIOR APPROVAL GRANTED)

Also,

No. 1323 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meeting of the Policy Committee of the U.S. Conference of Mayors Employment and Training Council and the annual meeting of the National Alliance of Business in New Orleans, Louisiana, September 25-28, 1988, at a cost not to exceed \$1,272.00, payable from the JTPA-1 SPOC Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1324 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the proposed legislation for a homosexual rights resolutions. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Also,

No. 1325 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the Conditional Use Application by the Public Parking Authority to construct a parking garage between Telegraph Way and Bellefonte Street and parking decks between Bellefonte Street and Filbert Street, connected by two-level bridges, in the 7th Ward. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

#### MOTIONS AND RESOLUTIONS

##### The Chair presents

No. 1328 Resolution that the appointment by the Mayor of James F. Lally, 278 N. Bellefield Avenue, Pittsburgh, Pennsylvania 15213 is hereby confirmed and approved as a member of the Board of Code Review for a term to expire September 30, 1991.

Which was read.

Mr. Lyons moved to approve the appointment.

Mr. DePasquale seconded the motion.

Mr. Ferlo:

I second it also for purposes of

discussion. Mr. Chairman, I'm very disappointed in our Mayor in the appointment of Mr. Lally to this important board. This has nothing to do with Mr. Lally as an individual; he certainly is and has been someone recognized in the labor movement and I believe he is an officer of a number of different union organizations. The intent of the legislation when we passed it was to have a bona fide representative of a very specific constituent group, and that was the Building and Construction Trades Council.

At my request, and today it has not been produced unless Mr. Perry can tell me otherwise, we have no indication from Mr. Jacoby and Mayor Masloff that this individual is actually the designated representative of the Trades Council and, in fact, that is not the case at all.

Now I don't want to in any way demean or cast any aspersion on Mr. Lally's contribution but I do think it's, one, politically bad on the part of the Mayor and two, I think it's a conflict of interest. Mr. Lally owes his job to the Mayor and to the Administration as the Director of the Stadium Authority working for the authority. I feel that strongly that's a case for a conflict of interest. The idea of having labor representation on the Board of Code Review is to have some independent opinion. We have admitted a long time ago that two of these people would be labor. Out of the 19 members, in no way could they even have a majority, but certainly they could at least have input. And I think it's a slap in the face to the labor movement, to working people in the City, and also to this Council regarding the intent of our legislation which was passed, I believe, unanimously by this body to have an appointment of Mr. Lally, being in the position that he is and representing the interest of the Administration, for him to represent the

Trades Council on this important regulatory body.

So, I have to voice a strong objection and desire to vote no and also to ask if we have a right to interview Mr. Lally regarding this appointment.

#### The Chair:

I would ask Council to vote in favor of Mr. Lally. I have known Mr. Lally all of my adult years, probably since I've been 18 years old. I, too, am a member of the Building Trades. Mr. Lally has been a member in good standing, probably well into 30 some years, maybe 40 years as a steamfitter out of Local 449. He's probably been a business representative for at least 20 years, probably, and probably has served on various executive boards, maybe different committees within 449 and he is a member, he represents 449 in Allegheny Labor Council, as we all know, he is the present President of the Pittsburgh Building Trades. I believe it is the Mayor's prerogative to pick somebody from the Building Trades and I can see no one better, that has more qualifications, than Mr. Lally. And all his time as a tradesman, forget what he does over at the Stadium, as a tradesman, that's his life, he's been there all his life since he's been 18 years old. So, I see nothing wrong with the appointment of Mr. James Lally.

#### Mr. Pollock:

Mr. Woods, I'm a little confused as to why we're discussing the vote now because all these appointments generally come before Council at our Wednesday session. I didn't hear a motion to not have him come before us —

#### The Chair:

I heard a motion, and I'm sure you

heard it too, Mr. Pollock, the motion was made to approve Mr. Lally by Mr. Lyons and it was seconded for discussion by Mr. Ferlo and I believe Mr. DePasquale also seconded it. That's why it's being discussed.

**Mr. Pollock:**

I'm just curious. I would ask that we have Mr. Lally come before us.

**The Chair:**

I have no problem with that if Mr. Lyons wishes to withdraw his motion and if Mr. DePasquale wishes to withdraw his motion. I have no problem with that. I am only going with what was acted on this floor.

**Mr. Lyons:**

Allow me to raise a question here. Why do we have to bring some before the Board and some we don't bring before the Board?

**The Chair:**

Mr. Lally has to be the Mayor's appointee but with Council's approval. On a lot of your authorities and boards, it doesn't have to have Council's approval, it just has to have the Mayor's appointment. But this has to have Council's approval. So, if you want to withdraw your motion —

**Mr. Lyons:**

I am for Mr. Lally's appointment. I endorse that 100 percent. Now, if it would be more fitting for him to come before Council to be interviewed here, I will then withdraw my motion and substitute the motion that Mr. Lally be informed to appear before this Council.

**Mr. DePasquale:**

I hesitate to withdraw my second but I will to the extent that we're talking about, as you stated, a long time labor leader and I can understand what Councilman Ferlo is saying, that it wasn't the labor itself that made the choice; he feels it was the Mayor. But I would have to say that Jim's first allegiance would be to labor and not to the Mayor's Office in regards to this board.

**Mr. Pollock:**

I would hope his first allegiance would be to the City of Pittsburgh, not to labor or the Mayor or anybody else.

**The Chair:**

All in favor of bringing Mr. Lally before this Council signify by saying aye.

**Mr. Lyons:**

Point of Order. Mr. DePasquale, did you withdraw your second?

**Mr. DePasquale:**

No.

**Mr. Lyons:**

I will not withdraw my motion.

**Mr. Ferlo:**

Mr. Chairman, on the question. I think it's appropriate, as it has been the case many times in the past, it is this Council's prerogative to also agree and consent that we have that individual before us.

**The Chair:**

Mr. Ferlo, let me have the floor.

We're going to discuss Mr. Lally's appointment. Neither person wants to withdraw their motion. Now, Mr. Coyne, you can discuss the merits of Mr. Lally's appointment, not whether he's going to be called before this body. That is a dead issue at this time.

**Mr. Coyne:**

I would ask my colleagues, Mr. Lyons and Mr. DePasquale, to withdraw their motions, not that I doubt, and I very much support Mr. Lally's position, but I don't think we should make an exception in having some people come before Council and others not. When we do have that prerogative, I think that Mr. Lally should come in front of us. I have no problem voting for him; I think he does represent labor and he would represent the best interest of the City; however, I don't feel we should make an exception that he shouldn't come. So, if we can't withdraw the motions, then I will have to vote no.

**Mr. Lyons:**

Mr. Chairman, I'll withdraw my motion for him to come before Council.

**Mr. DePasquale:**

I'll withdraw my second.

**The Chair:**

Now is there a motion to have him come before Council?

**Mr. Lyons:**

So moved.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

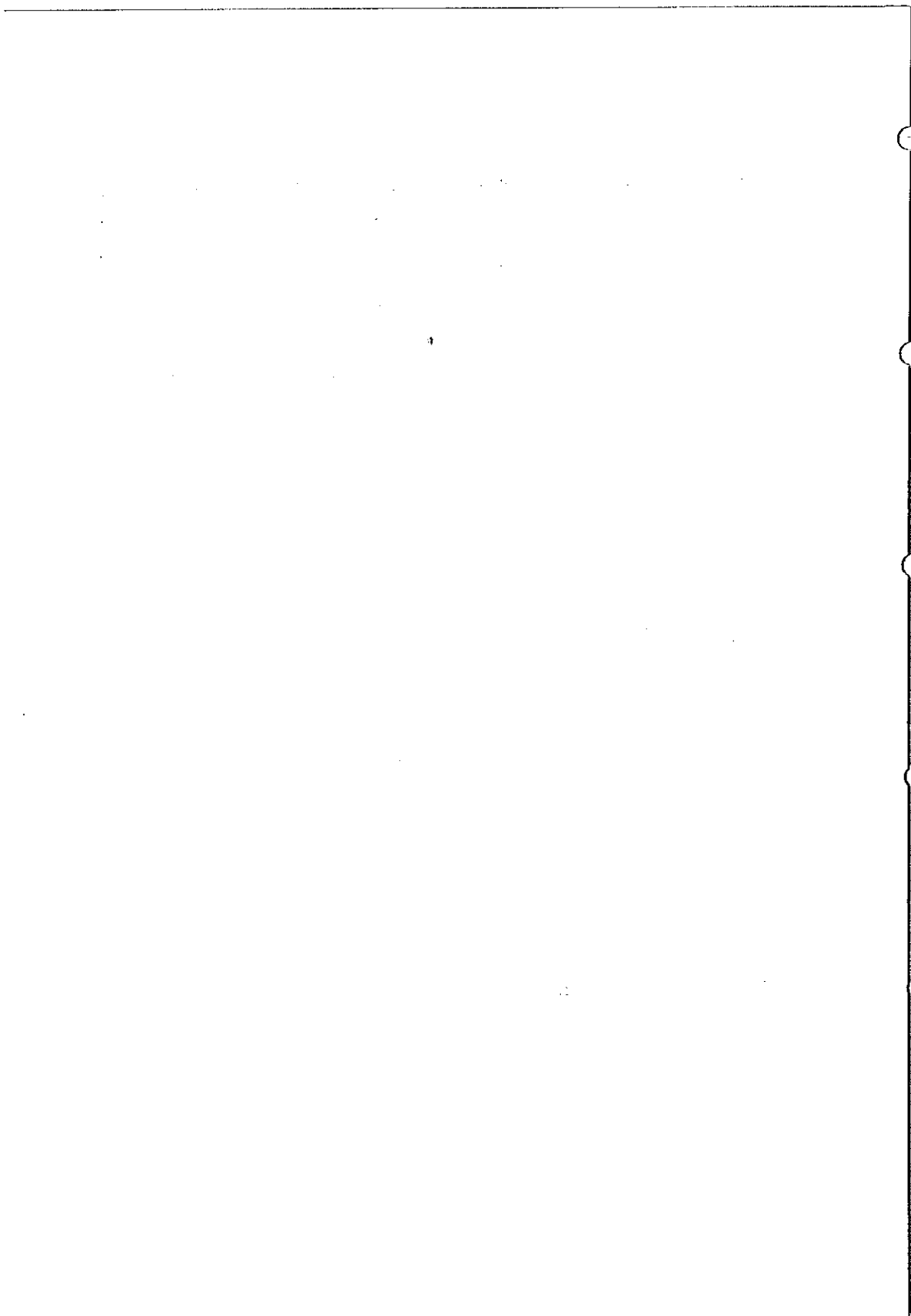
**Mr. Lyons** moved to approve the Minutes of Monday, July 25, 1988; Monday, August 1, 1988; Monday, August 8, 1988; and Monday, August 15, 1988.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Monday, September 12, 1988

No. 35

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, September 12, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

#### ABSENT:

Michelle Madoff  
Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. DePasquale presents

No. 1343 WHEREAS, on September 12, 1988, the Pittsburgh Department of Public Safety, Bureau of Police Project DARE (Drug Abuse Resistance Education) Program will begin its third year of operation; and

WHEREAS, the primary goal of the program is to assist all youngsters in recognizing, coping and resisting the pressures that lead to experimentation with drugs; and

WHEREAS, to date, fifty-one schools have participated in DARE, and 11,434 students have trained in the program to resist the pressures that lead to experimentation with drugs; and

WHEREAS, this year, 23 schools and an estimated 6,000 students will participate in the DARE program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in conjunction with "National Dare Day", hereby recognizes the week of September 15, 1988 as "DARE DAY" in the City of Pittsburgh and encourages the citizens of this City and throughout the nation to uphold the goals of this worthwhile program.

Mr. DePasquale moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

Is Ms. Regina McDonald here?

**Sergeant McFadden:**

I came here in place of her.

**Mr. DePasquale:**

As you can see, this program has only been underway for about three years but it's been a very successful one. These people work very hard at it; Regina McDonald and Sergeant McFadden have been active from the beginning. You might say they have been the founders of it. I wonder if Sergeant McFadden would say a few words?

**Sergeant McFadden:**

This is the third year that we've done the DARE Program in the schools and we can see a really positive image with the students in school now. When you go in, they react to you a lot better. As a matter of fact, this year when we had our DARE parade back in May, this sums up the whole thing, we had some football players there and at the end of the parade the kids were asking about autographs. At that time, we told them the football players were over there, and the kids told us they didn't want the football players' autographs; they wanted our autographs, the crime prevention officers, and we had to sign all their baseball hats.

So that pretty much sums up that I really think the program is working and I think that was really fantastic.

**The Chair:**

For our next resolution I would like to ask Mr. Ferlo to please come up and

present it for me and I would like to ask Ms. Carmen Perez to come up and other group representatives.

**The Chair presents**

No. 1344 WHEREAS, the rich diversity of ethnic groups and traditions is one of the most vital elements of our American national and local Pittsburgh character; and

WHEREAS, there are over 15 million Hispanic-Americans in the United States, about 186,000 in Pennsylvania, and 17, 500 in Pittsburgh and our neighboring communities; and

WHEREAS, Hispanic Americans consist of several distinct ethnic groups, in that each group has their own heritage; is caucasian, or black, or red, or a mixture; has its own folklore, holidays and social structure; and may be Catholic, Protestant, Jewish, African or Indian spiritualist, and Hispanic Americans should be understood as they really are, and for the valuable contributions they offer to our way of life; and

WHEREAS, Hispanic people have contributed their skills and energies to the growth of our City, Commonwealth, and Country in the areas of culture, education, business, athletics, government, spiritual enrichment, and community life; and

WHEREAS, our nation is more resplendent than ever because of their dynamic Hispanic contributions which continue the tradition of ethnic diversity revivifying our nation; and

WHEREAS, the Hispanic Groups participating in this years festivities include the Latin American Cultural Union, the Spanish Club, HACL, Hispanic Forum of PA, Inc., Sabor Tropical,



Guaracha and LaFiesta.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of September 11th through 17th, 1988 as "Hispanic Heritage Week" in Pittsburgh to join with the nation for the fifth annual week of celebration.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

We have a Commissioner from the State of Pennsylvania and many other local dignitaries and representatives and I'm not sure who would like to speak.

**Mr. Seda:**

My name is Wilfredo Seda and I am the Executive Director of the Governor's Council on the Hispanic Community and I'm very glad to be in your city. I want to thank City Council for adopting this resolution. The only thing, Councilman, is that my numbers seem to estimate that we might be about 300,000 to 350,000 Hispanics in Pennsylvania growing almost every day. And also, I think it's a very historic moment for the Pittsburgh Hispanic community because most of the times the Governor's proclamation has been carried out in Harrisburg and Philadelphia and for the first time we're doing it here in Pittsburgh. So, I want to thank you for this opportunity, for the resolution, and I know that all the groups and their representatives here are very grateful for the recognition given this afternoon. Thank you.

**The Chair:**

This next resolution was presented on Sunday, yesterday, and I'd like it to be included in the Minutes.

**The Chair presents**

No. 1345 WHEREAS, on Sunday, September 11, 1988, Bernie and Cheryl Gill will be celebrating their 10th year with the Sheraden Slow Pitch Softball Team; and

WHEREAS, Bernie and Cheryl share an ideal for the girls of their community and have given unselfishly of their time and effort to set examples of good value to the young people of their community; and

WHEREAS, over the past 10 years, Sheraden's Slow Pitch Softball Association has grown in size to a booming 186 participants comprising 13 teams, and has also grown in its ability to provide the community with a competitive organization which practices good sportsmanship and encourages new friendships; and

WHEREAS, the growth of this organization is accredited to Bernie and Cheryl Gill through their undaunted efforts to provide quality organized sports to the girls of the Sheraden area.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Bernie and Cheryl Gill on the completion of their 10 years with the Sheraden Slow Pitch Softball Organization.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Coyne presented**

No. 1329 Resolution providing for a Contract or Contracts, or use of existing Contracts for Playground and Court Renovation including Blair and Rhododendron at a cost not to exceed \$212,599.68.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1330 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Detective Robert McCabe, Bureau of Police, to attend a Homicide Seminar at the State Police Academy, Albany, New York from October 1-6, 1988, at a cost not to exceed \$35.00, payable from the PSTA Code Account.

Which was read and referred to the Committee on Public Safety.

**Mr. Lyons presented**

No. 1331 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" program (HA-88-01) at a cost not to exceed \$1,620,000.00, chargeable to and payable from the 1988 CDBG Program - Housing Authority (HA-88-01) "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" Project #4-65-01-0001-88-380-88-65, Index #432369.

Also,

No. 1332 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization

for Jane Downing to participate at the National Association of Housing and Development Officials Annual Conference, in New York City, New York from September 23-28, 1988, at a cost not to exceed \$1,100.00, payable from Code Account No. 1103, Miscellaneous Services.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Wagner presented**

No. 1333 Resolution amending Resolution No. 895 effective October 13, 1986 entitled "Resolution amending and supplementing Resolution Number 829 of 1984 by expanding the scope of the previously authorized professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligation Bonds at an annual cost not to exceed \$115,000.00 subject to annual appropriations and making such agreement chargeable to and payable from the Sinking Fund, Index Code 000208", by extending the period of services from (five years from September 1, 1983 through August 31, 1988) to (one year from September 1, 1988 through December 31, 1989).

Also,

No. 1334 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Title II-A Pregnant and Parenting Youth at a cost not to exceed \$117,000.00, chargeable to and payable from the JTPA-1, Trust Fund, federal funds, index code 260307.

Which were read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1335 Resolution transferring the sum of \$25,000.00 from Code Account 1042, Index Code 104208, Salaries, Department of the Mayor, City Information Systems to Code Account 1042-1, Index Code 104216, Premium Pay, Department of the Mayor, City Information Systems.

Also,

No. 1336 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Title III Dislocated Workers Program at a cost not to exceed \$165,000.00, chargeable to and payable from the JTPA-3, Trust Fund, federal funds, Index Code 260364.

Which were read and referred to the Committee on Finance.

**The Chair presented**

No. 1337 Resolution authorizing a Lease with the Three Rivers Rowing Association, in form approved by the City Solicitor, of Herr's Island Disposition Parcel D-2-B on Washington's Landing to be used as a Rowing Center.

Also,

No. 1338 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh

to accept the conveyance from the URA of Herr's Island Disposition Parcel D-2-B on Washington's Landing for the City to lease to the Three Rivers Rowing Association as a Rowing Center for an initial term of 30 years at an annual rental of One (\$1.00) Dollar.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Mr. Chairman, I see no need to rush this but if we're going to discuss it Wednesday I would hope that the proper representatives from the URA will be on hand including City Planning. Thank you.

#### UNFINISHED BUSINESS

**The Chair presents**

No. 1328 Resolution that the appointment by the Mayor of James F. Lally, 278 N. Bellefield Avenue, Pittsburgh, Pennsylvania 15213 is hereby confirmed and approved as a member of the Board of Code Review for a term to expire September 30, 1991.

**Mr. Lyons** moved to approve the appointment.

**Mr. Wagner** seconded the motion.

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**Mr. Ferio:**

Discussion. Mr. Chairman, first of all, I would like my comments brought forward on this issue, the appointment of Mr. Lally to the Board of Code Review.

**Mr. Wagner:**

Mr. President and members of Council, I'd like my comments brought forward for the record also.

**The Chair:**

I would like to have my remarks brought forward from last Wednesday's meeting.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO, MR. WOODS AND MR. WAGNER'S COMMENTS ON THE  
APPOINTMENT OF MR. JAMES LALLY TO THE BOARD OF CODE REVIEW -  
9/7/88)

Mr. Ferlo:

Mr. Lally, first of all, I raised an objection to your appointment yesterday, and I just want to make it clear to you face-to-face that I don't have any problem with you as an individual, and certainly by way of your introduction you indicated the years of service you have with the labor movement, and, in fact, if I can be presumptuous, it is longer than I have been born. Now, I don't have a problem with that. Here is the problem I have. In introducing legislation by myself, which was unanimously approved by City Council, the intent was to reform the Board of Code Review to the extent that at least two representatives on the Board of Code Review would be constituent representatives of the Building and Construction Trades Council, that out of a body of 19 or 20, it was not unfair, or unusual, or undemocratic to have labor have some say so and a voice on that body.

The problem that I have -- and I don't dispute your labor credentials -- the other representatives that are on the Board of Code Review, the constituent representatives, there is an architect from the architects group, the Engineers' Society, there are about five or ten such individuals who represent a constituent viewpoint. I want somebody on the Board of Code Review who has a very biased point of view, and that is the viewpoint of the labor movement in this city. Out of 19 people, I don't want somebody who is going to be there representing the Administration, or representing City Council, or representing an individual. I want somebody there who very clearly out of that body of 19 or 20 individuals contributes ideas from a biased point of view, and that is the narrow self interest of the labor movement in this city. I don't think that is a very unreasonable or unfair scenario.

The only problem I have with you, sir, and that is why I will be voting against you today, is that to my knowledge -- and please correct me if I am wrong -- that you are not a designated representative by way of a board meeting of the Building and Construction Trades Council. I may be incorrect and wrong in that information; if so, please correct me.

But I believe strongly that as the Mayor, especially a Mayor that wants to be reelected as the Mayor, that she needs to reach out to the labor movement in this city, and reaching out to the labor movement, in all due respect to you, Mr. Lally, is not appointing somebody who is an authority director, but reaching out and communicating to the Building and Trades Council and asking for a designated representative. So I am voting no, I just want to clarify to you the principle stand that I am taking.

Mr. Lally:

You are entitled to that. I would just like to express myself. I am President of the Building Trades Council, have been President for the last 20 years, if you are not aware of

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that. And I think even when I sat on City Council here I always showed that I was fair minded, I never let that sway my opinion, and my record speaks for itself. That is all I can tell you.

Mr. Woods:

Jim, I just want to tell you I am voting for you. I have known you most of my adult life, all of my life in the labor movement. I went on various conventions with you. I think you are an excellent choice, and I think it is the Mayor's choice. This Council voted to have two representatives from the Building Trade or from the labor movement on the Board of Code Review, but it is the Mayor's choice. And I think she made an excellent choice, and I have no problem at all that there will be anything with a conflict of interest. So I will vote on your behalf, and I would urge Council to vote for you, also.

Mr. Lally:

Thank you, Ben. I appreciate that.

Mr. Wagner:

I want to say, Mr. Lally, I will be voting for you also. I find you to be a competent person, I have been dealing you with since I have been on Council, and I am sure you will be the same on the Board of Code Review.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

**Mr. Ferlo:**

To reiterate very quickly, I believe very strongly that Mr. Lally's appointment by the Mayor is not only a slap in the face to the labor movement but I think it's in contradiction to the intent of the legislation that Council unanimously supported, and that was basically, in a nutshell, that there should be a designated representative of the Building and Construction Trades Council. I do not argue the point that legally the legislation that we passed makes it clear that the Mayor does the appointment and is to appoint somebody from that category; I don't dispute the legal language of the legislation. But just as there is a representative of other societies and professional groups, architects, engineers, etc., the intent here clearly is that the Building and Construction Trades Council itself would discuss this.

I wanted to report to Council, and there will be a formal letter going to the Mayor, that at the most recent meeting a few days ago of the Board of the Building and Construction Trades Council it was unanimously moved and adopted that Mr. Lally should not be the designated representative of the Trades Council. I think that confirms the issues that I have been raising.

I made it very clear in the meeting that I have no problem and would not in any way be disrespectful of Mr. Lally's long-standing involvement in the Trade Union Movement, but I think it is clearly a conflict of interest. He is an authority director. Mr. Lally thought that the Board of Code Review only meets a couple of times a year; in fact, it meets many, many more times than that in a given year. I'm concerned about his time commitment and actually attending and being productive as someone who can voice the concerns of labor being one out

of 19 members of a board.

So, for all those reasons, I am opposed to the appointment and will vote no today and, depending on discussion, I think, quite frankly, may want to recommit this bill.

Thank you, Mr. Chairman.

**Mr. Coyne:**

Mr. President, I too have been contacted by the labor unions who seem to have several questions not to talk down or make any assertions towards Mr. Lally's work that he would do but to the question of the conflict of interest which may arise because of his position with the Stadium Authority. Because of those concerns, I'll be abstaining on the vote today. I want to make it clear that it is no personal reflection on Mr. Lally but because of the concern that the unions have presented. And I have been informed that the unions will be getting in touch with Council through a letter stating their concerns on this issue. So, until we receive that letter, I don't feel that I'm in a proper position to vote.

**Mr. Wagner:**

I think Mr. Lally is a good choice. I believe if you believe in the man, he is going to go there and represent what he's representing and the board that he's serving at the time he's serving. If he's on another board and another authority, which he is, I believe he's going to represent that authority at that time. I have known him to be a man of his word in the past and I have no reason to believe he won't be in the future.

**The Chair:**

I would just like to urge Council to pass Mr. Lally. I have nothing but respect for Mr. Lally; he's been in the

labor movement a lot longer than some of you have been on this earth. He knows what he's doing. I think he can be nothing but an asset and I strongly urge you to support him.

**Mr. DePasquale:**

Mr. President, if I may, I echo your sentiments and am prepared to vote for Mr. Lally. At the same time, we have only six members here; there's two off and apparently two members are going to vote against this.

**The Chair:**

On a confirmation like this you don't need five votes. You need the majority of the members present.

**Mr. DePasquale:**

Okay.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 4                      NOES 1**

**(MR. FERLO VOTING NO)**

**(MR. COYNE ABSTAINING)**

And a majority of the votes of Council being in the affirmative, the

motion was approved.

## **REPORTS OF COMMITTEES**

**Mr. Wagner presented**

**Bill No. 1339**

Report of the Committee on Finance for September 7, 1988 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1117**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation study of psychological background testing and the administration, preparation, evaluation and research of Civil Service entrance and promotional examinations; and providing for payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |



AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1308

An Ordinance entitled, "An Ordinance amending Ordinance 24 approved December 27, 1987, Section 1, 180.01 Definitions, Subsection A-4 by including Operations Coordinator; Chief Inspector, Audit Manager, Chief Auditor, Contracts Supervisor and Bookkeeping Supervisor, in the 'noncareer service' positions of the City Controller's Office." (SPONSORED BY MR. WAGNER)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Ferlo  
Mr. DePasquale      Mr. Lyons

AYES 4                NOES 2

(MR. WAGNER AND MR. WOODS  
VOTING NO)

And there not being a majority of the votes of Council elected, the bill was tabled.

**Mr. Ferlo:**

Please explain the meaning of the

vote. Does this mean it cannot come up again or what?

**The Chair:**

It's tabled. It can come back up.

**Mr. Ferlo:**

Just to clarify it, the bill is tabled. Mr. Chairman, how will the bill be brought back up?

**The Chair:**

At a Committee Meeting, any member who wants to put the bill back on the table would have to ask the Finance Chairman who chairs the Committee Meeting to untable the bill and you need five votes to untable it.

**Mr. Ferlo:**

So a motion to recommit the bill at this time is not appropriate but a motion to recommit at the Wednesday session —

**The Chair:**

You have to make a motion to untable it at the Wednesday session.

**Mr. Ferlo:**

Thank you, Mr. Chairman.

**The Chair:**

Your welcome.

**Mr. Lyons presented**

Bill No. 1340

Report of the Committee on Planning, Housing and Development for September 7, 1988 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 850

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6, by changing: From "R4" Multiple-Family Residence District and "C3" Commercial District to "A1" Commercial-Residential Associated District all that certain property bounded by: EAST STREET; TRIPOLI STREET; the easterly property boundary of Lots No'd. 171, 169, 168 and 167, Block 23-M in the Allegheny County Lot and Block System; the northerly property boundary of Lot No. 167, Block 23-M in the aforementioned System, and MIDDLE STREET, 23rd Ward." (SPONOSRED BY MR. WOODS)

Which was read.

Mr. Lyons moved to recommit Bill No. 850.

Mr. Wagner seconded the motion.

The Chair:

I would like to explain to everybody why I would like to have this recommitted. We have a plan that's called CP Commercial Plan Unit Development District. I know there has been concern in the neighborhood and amongst the neighbors that there could be a McDonalds down the street, a gasoline station, and once this was approved, that Dr. McGovern could sell this. Under this plan, he couldn't do anything with it; it must be approved by the neighborhood plus the Planning Commission and this Council. Once it's built, forever and ever, it must be a

doctor's office.

It's just for this building. It will do away with that dilapidated looking building and the neighbor then, and the leaders of the neighborhood, have nothing to complain about. They will get what they have been saying they wanted. There will not be any rezoning other than this one particular structure. It will fall under their guidelines. Dr. McGovern would have to come in, show them where every brick is going to be, where every parking space is going to be, where every tree is going to be planted. And that has to be approved by the Planning Commission and then by this City Council. And once it's built, it can't be used for any other reason. If he sells it, it must be sold as a doctor's office. And I hope Dr. McGovern goes along with this because I haven't spoken with him or his representatives and I haven't spoken with the neighborhood group. But I know from the meeting, the public hearing here, and from what they lobbied us, this is what they said they wanted. Well now they have it and I'm shocked that our own planners didn't find this zone in our Code, but it is in our Code and I'm going to ask Council to substitute this bill on Wednesday.

Mr. Ferlo:

Mr. Chairman, on the motion to recommit. I would like my comments brought forth from the Wednesday session.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S COMMENTS ON BILL NO. 850 - Wednesday, 9/7/88)

Mr. Ferlo:

Thank you, Mr. Chairman. First of all, to Director Lurcott, sir, I don't think you should feel defensive coming to this table. The longer you and your department takes in the rezoning issues confronting the North Side community, the more time you take working with the neighborhood, its constituent groups and the business community, as far as I am concerned the better, because that creates less conflict later on. As far as I am concerned, if you take another six months and go through all those different processes of meeting with people, so be it. I think Jane Downing and all of your folks are doing an excellent job on that issue.

This is an issue I could best describe as having come alive since the last meeting, Mr. Chairman. I had made it very clear from the beginning my initial concern, and I guess I would have to describe it as a more narrow concern initially, was that the best kind of building be built on that property. And in that regard I was very sympathetic with the issue of the rezoning as it could potentially relate to having a quality building be built.

Since that time -- and in all honesty, I apologize for not being able to attend a neighborhood meeting in the community, I was away. One of my staff people did attend, Eric Feder. And there is one thing that has always impressed me and concerned me, and that is when people do get mobilized and begin to articulate what is on their mind. To me, that is an important process and a healthy process that legislators, such as ourselves, need to respond to. When it is one or two paid organizers of an organization or an individual citizen who may or may not have a vested interest, but when an actual neighborhood meets and convenes to analyze and to debate and to discuss an issue, I can't help, at least coming from my background, to begin to think more broadly about some of the issues that they are talking about. In this regard in this issue, I have attempted to do that over the last couple of weeks.

In a report from one of my staff people to me, he has raised eight different concerns, some of which were addressed that evening in the meeting, and I don't know if the directors here would want to respond to some of these concerns. I had tried to also address the issue that I believe initially was raised by Mr. Pollock regarding the likelihood of deeding this property over in the future to a limited use. The initial concern obviously being from the community that there not be a Burger King ending up on the property. A related issue is the issue of a gas station located across the street, and if this area is rezoned, whether or not they have a better legal standing and a position to argue that they should be given the prerogative to do what they want to do with that property.

In my vote on the expansion of the Allegheny County Medical Society, I was opposed to that on the broader issue, not nearly on what was in the best interest of that building, but on the issue that that property around the park is potentially ideal

property for housing development. I have always resented the notion that because something is in the North Side or in a particular area, however one perceives it, that somehow creative housing can't be done there. If it is anything the various North Side groups have shown, is that there is a variety and creative mix of potential uses for housing development, and I think in the North Side you could point to lots of different examples on that. I felt strongly on the example of the County Medical Society, the expansion, that we should not have allowed that and we should have actually helped nurture a development towards housing in the park area for its residential as well as its financial income.

I think, to be more broad on this issue, having discussed the issue with some of you I have a lot of faith in, that is Aggie Brose and people from the Bloomfield-Garfield Corporation who raise a number of issues more broadly than just the issue of what the actual confines of the building would look like, and I have to listen and take heart to that.

I also have to respect the concerns that were raised to me by phone and personal contact from Tom Murphy and Leslie Reicher and Stanley Lowe from another neighborhood group. I can't ignore that. They have a variety of fears of which have been expressed either at the public hearing -- I don't feel a need to restate them -- and certainly to some of us individually.

In response to our Solicitor, are you saying that in terms of the legal documents that have been developed, you are saying they would hold weight, it is just that there would have to be litigation? You never said there wouldn't have to be.

Mr. Pellegrini:

There always has to be litigation for someone to enforce their rights. If it was the city, I mean, for instance, if somebody would go over there and build a building and a variance with a zoning, I would have to litigate that. So litigation is just part of the system. It is the question of who pays. In that particular instance, that community council would have to pay.

Mr. Ferlo:

What is your legal interpretation of the phrase "spot zone"? What do you perceive that to mean? What is the case law?

Mr. Pellegrini:

The case law, it doesn't have to do with the area, real quickly, but what it means is whether or not the zone is in accord with the master plan for a particular area and is compatible with the surrounding uses and zones. In another community other than Pittsburgh, there is a device where property owners can come in, we are talking in terms of the variance, the municipality's Planning Code provides -- which doesn't apply to Pittsburgh -- provides for an amendment process where a property owner can come in for a particular piece of property and ask essentially what is being asked here. But in

Pittsburgh we don't have that. That is a judicial administrative process. The variance process is a really narrow process. And what you are talking about in those instances is, one, unnecessary hardship related to the land, and that usually relates to topography and whether it is not detrimental to the health, safety and welfare of the community.

So I guess what they are asking here, and from what I understand the dispute is, is whether or not they want a rezoning, and I think people are concerned about the rezoning, not about the building. Am I hearing that correctly?

Michelle Madoff:

That is correct. It is a zoning.

Mr. Ferlo:

Actually it is both. Go head.

Mr. Pellegrini:

If they weren't concerned about the zoning -- they weren't concerned about the building, only the zoning, they have a right to enforce it under the agreement.

Mr. Ferlo:

If we agreed, then, that there is a master plan under development and that this individual action predates or comes before that development or improvement in the master plan, wouldn't that reinforce the argument of spot zoning?

Mr. Pellegrini:

The master plan is an area, you take a look at areas, and you take a look at zones, and you take a look at whether they are mixed uses, and then you say, "Is this zoning in accord of the master plan?" It is not necessarily related to lot size, which people think it is. And in all honesty, I don't know what is the surrounding zone, and I haven't looked at the issue of spot zoning particularly on this property. But what you do is look at the master plan, is the rezoning compatible with the surrounding uses, does it provide for transition, does it do all kind of planning? There are a lot of planning determinations that have to be made before you declare something a spot zoning. There are not many things declared spot zones, if the correct planning processes have been undertaken to rezone.

Mr. Ferlo:

Let me ask you a legal question, interpretation. If, for instance, a gas station, in this case, Boron Oil Company, owns a piece of property, I believe it is a parking lot across the street, would they then have a better legal argument and/or a regulatory argument to the city that they are being denied to some extent their property rights in terms of the development of

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that property, if it is directly across the street from this area, which would amount to some extent to a spot zone?

Mr. Pellegrini:

I can't answer particularly about the Boron Oil Station in this surrounding area.

Mr. Ferlo:

I'm just using it as an example.

Mr. Pellegrini:

As an example, I am just talking in general. In general, let's say you have a commercial zone across the street and then you had a residential zone, and this was truly residential, and this was truly commercial. Boron would not get any increased rights. Boron generally wouldn't have any increased rights unless they could show that their property has diminishing value. For instance, even today if they would come in and say, "We need to build a gas station because we can't put anything else there," and they would put testimony on that the property is valueless, then you could probably get a variance. Other than that, it is very difficult to get a variance.

Mr. Ferlo:

Haven't the higher courts in the last few years of particular tended to be more conservative on the issue of property rights?

Mr. Pellegrini:

By "conservative," do you mean granting more variances?

Mr. Ferlo:

Granting as opposed to favoring the municipality, granting unto the rights of the property owner certain prerogatives.

Mr. Pellegrini:

It depends on the area. Generally in non-conforming uses, Pennsylvania has been very liberal about expansion and extension of non-conforming uses. On variance law, I haven't seen any major shifting of law.

Mr. Ferlo:

One last question, Danny. How do you interpret the issue of expansion of the square footage in that building, the 25 percent figure that has been used a number of times?

Mr. Pellegrini:

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I'm sorry, I don't understand the issue at all.

Mr. Pollock:

It is a non-conforming use.

Mr. Ferlo:

Seeking a variance.

Mr. Pellegrini:

It would be a special exception for a non-conforming use in a non-conforming structure.

Mr. Ferlo:

I guess what I was asking, is the 25 percent square footage within the confines of the footer that exists presently, or is it liberal to the extent that 25 percent means square footage on the property at large, if you understand the difference?

Mr. Pellegrini:

For instance, the non-conforming use in a non-conforming structure, you have to use -- if the renovation expenses, separate and apart from the use, but on the structure, my recollection is that if the renovation costs are 50 percent more than -- is it 25 now? No, the costs, not the square footage, the cost. If it is 50 percent more, then you can't -- I don't remember.

But there are certain things you can't do. It has to be within the existing wall of a non-conforming structure, it has to be within the existing walls you are allowed for a limited expansion. Whether or not you go up or down it would be part of the special exception process, which is a Board of Adjustment exception.

The use has to be less intensive than the previous use. There is a whole series of factors that you go through on a non-conforming use, as opposed to a variance.

Mr. Ferlo:

Director Lurcott, to close, in the last week or so since the actual legal agreement was drafted, to your knowledge, since I can't bring anybody else up to the table, has there been any desire or willingness on the part of the neighborhood group in question to want to review that document and/or meet with these particular business people?

Mr. Lurcott:

I don't know of any such move on their part. I am not saying it hasn't happened, but I don't know that.

(End of Remarks) (Transcribed by Helen L. Kriebel)

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**Mr. Ferlo:**

On the actual bill today I was prepared to vote no. It's clear that the rezoning as proposed did not have the necessary seven votes to pass.

In the spirit of trying to discuss this further, I have no objection to your motion to recommit for purposes of discussing this further with Dr. McGovern as well as neighborhood residents and neighborhood organizations.

**The Chair:**

On the motion to recommit? All in favor? Opposed?

WHICH MOTION PREVAILED.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1145

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the North Side Civic Development Council so as to hire a consultant or consultants to conduct a traffic study of the Calbride Triangle Area of the North Side, at a cost not to exceed \$4,200.00."

Which was read.

**Mr. Lyons:**

Mr. Chairman, I move that this bill be amended by substitution and deleting the North Side Civic Community Council and substituting the City of Pittsburgh.

**Mr. Ferlo** seconded the motion.

**Mr. Ferlo:**

Discussion. Mr. Chairman, I would like my comments brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)



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(MR. FERLO'S COMMENTS ON BILL NO. 1145 - Wednesday 9/7/88)

Mr. Ferlo:

Mr. Chairman, this bill was held up for several weeks for a number of different reasons, one is the issue of where the money is coming from. I don't remember if this is getting changed, but originally it was Council's discretionary monies and some Councilmembers had an objection to that. My concern had to do more with the -- and maybe the Director could better explain this. Jane Downing tried, she did a good job, but it was very confusing to me.

The basic problem I had initially with this issue is that as a city we are responsible, it is our liability and responsibility, to do traffic planning and studies, it is something that is in our bailiwick. And I didn't want this to set a precedent in the future, whereby we were going to delegate to a large institution an issue of planning, whether it be traffic or what have you. To me, that would be a conflict; I mean, planning done by a large institution to me would have a vested interest.

Jane explained to me that the department is actually very much involved in deciding what the actual scope of services is regarding any planning studies. So it seemed a little more logical to me. But when this came up and no one explained that, it seemed as though we were delegating to a neighborhood group this money, and to me that seemed like a contradiction. And unless you can explain it otherwise, I am opposed to the way this is being done.

Now, I am not opposed to making a grant to a neighborhood group to do some activity, but the way this legislation is worded, I don't like the precedent that it is setting, in terms of delegating something that should be a municipal function, and that is traffic studies. Isn't that the way it is done?

Mr. Lurcott:

Yes, we have the responsibility as a municipal government to deal with traffic issues and undertake traffic studies generally, that is correct. Now, there are precedents for this, however. For instance, when a developer comes in, whether it be a major institution or a private developer who wants to do a large development, we have requirements for traffic studies, which we have the developer do and pay for, but under our scopes of work. And then we analyze that work done, it has to be done by a reputable group. So in that sense, it is not unusual.

I think what is important here is that the group in question is the North Side Civic Development Council, it is not a major institution doing it. The reason that they are doing it --

Mr. Ferlo:

I am saying I didn't want to set a precedent, whereby approving this means that in the future we are going to say, "University of Pittsburgh, you decide what is best for the Forbes Avenue corridor."

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Mr. Lurcott:

I understand the point. We do, however, do that mechanism that I just mentioned to you.

Mr. Ferlo:

But it is a joint process.

Mr. Lurcott:

Yes, that's right, and this would be the case, as well. This is part of a relatively small area planning process that the North Side Civic Development Council would be doing in conjunction with the Talguard group that is, in this area, in a state designated enterprise zone. And that is really the basis for which you would have this kind of work being done by the group rather than by the city, in the sense that the state encourages planning by the groups themselves in the enterprise zones.

What they are interested in is really doing a land use evaluation of a small triangular piece of land that is bordered by Brighton, California and Kirkbride Streets to see whether they could get better uses and reconfigure the streets there.

Mr. Ferlo:

Why are they doing it as opposed to us? It should be our responsibility.

Mr. Lurcott:

Because, again, the encouragement is to have the community doing their own planning in the area. This is, as you see, \$4,200.00, it is simply an evaluation of the traffic implications of reconfiguring that piece of land to get new development on it. We are involved with them in terms of letting out the scope and what not, so it is not that we are not involved or not caring about what the implication of it is. However, we are simply saying that because this is an enterprise zone, that they can initiate planning themselves and carry it out, that was the idea. I think it is not terribly unusual, particularly in the context of an enterprise zone. It certainly could have been done a different way. This is the way they would like to do it.

One other point. Originally this was to be funded through the enterprise zone grant, which again, is further encouragement that it be done with and by the community organization. However, this particular activity the state did not allow to be funded through that source, so we are proposing using local funds for it.

(End of remarks)

(Transcribed by Helen L. Kriebel) (MR. FERLO, MR. WOODS AND MR. WAGNER'S COMMENTS ON THE APPOINTMENT OF MR. JAMES LALLY TO THE BOARD OF CODE REVIEW - 9/7/88)

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Mr. Lurcott:

I understand the point. We do, however, do that mechanism that I just mentioned to you.

Mr. Ferlo:

But it is a joint process.

Mr. Lurcott:

Yes, that's right, and this would be the case, as well. This is part of a relatively small area planning process that the North Side Civic Development Council would be doing in conjunction with the Talguard group that is, in this area, in a state designated enterprise zone. And that is really the basis for which you would have this kind of work being done by the group rather than by the city, in the sense that the state encourages planning by the groups themselves in the enterprise zones.

What they are interested in is really doing a land use evaluation of a small triangular piece of land that is bordered by Brighton, California and Kirkbride Streets to see whether they could get better uses and reconfigure the streets there.

Mr. Ferlo:

Why are they doing it as opposed to us? It should be our responsibility.

Mr. Lurcott:

Because, again, the encouragement is to have the community doing their own planning in the area. This is, as you see, \$4,200.00, it is simply an evaluation of the traffic implications of reconfiguring that piece of land to get new development on it. We are involved with them in terms of letting out the scope and what not, so it is not that we are not involved or not caring about what the implication of it is. However, we are simply saying that because this is an enterprise zone, that they can initiate planning themselves and carry it out, that was the idea. I think it is not terribly unusual, particularly in the context of an enterprise zone. It certainly could have been done a different way. This is the way they would like to do it.

One other point. Originally this was to be funded through the enterprise zone grant, which again, is further encouragement that it be done with and by the community organization. However, this particular activity the state did not allow to be funded through that source, so we are proposing using local funds for it.

(End of remarks)

(Transcribed by Helen L. Kriebel)

**Mr. Ferlo:**

Very quickly, I think this is an excellent way of addressing the concerns that we raised in opposition to this bill and I'd like to thank Mr. Lyons and the Director of City Planning. Basically, in a nutshell, we were concerned that this would set a precedent of instead of the City being directly responsible for such a study, that we would job it out, in this case, to a neighborhood group. My concern is that in the future we not job it out to an institutional group such as a university or someone else who may have a vested interest.

Other than the issue of where the money is coming from being Council's discretionary amount, I would certainly, at this time, be supportive of the legislation.

**Mr. DePasquale:**

I'm prepared to vote for the legislation. In regards to the amendment, I'm not quite sure; what does the amendment mean? I understand there was some sort of compromise made

**The Chair:**

It just means that the City of Pittsburgh will enter into an agreement to have a traffic study rather than a neighborhood organization.

**Mr. DePasquale:**

Just a traffic study?

**The Chair:**

Right.

**Mr. DePasquale:**

Okay.

**The Chair:**

All in favor of the amendment?  
Opposed?

**WHICH MOTION PREVAILED.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 6**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Pollock presented**

Bill No. 1341

Report of the Committee on General Services for September 7, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1300

A Resolution entitled, "Resolution amending Resolution No. 89, effective February 29, 1988, entitled, 'Providing

for the letting of a contract or contracts, or to exercise against existing contracts, for various repairs and renovations and providing for the payment of the cost thereof. Funds are available in Code Account (GS88-04) 4-30-01-0003-88, Index Code 370536, Bureau of Repairs and Operating Maintenance, Department of General Services'."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 1342

Report of the Committee on Public Safety for September 7, 1988 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 977

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 8 - Fire Prevention, Article 29, Hazardous Materials and Chemicals, Chapter 803, Amendments, Section F-2901.2 of the Boca National Fire Prevention Code, by adding Item (1) including the NFPA 704 Identification of the Fire Hazards Materials, 1985 Edition." (SPONSORED BY MR. FERLO)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Ferlo:**

Two very brief points. One is on the continuing saga of the fire trucks, the tillers. It's my understanding that within the last week and a half there was again another major incident regarding the questionable design of these vehicles, in particular, a broken axle and a blown

transmission for one of the new tillers which, I believe, is now housed in the Oakland 14 Station.

My concern is that I believe that the Pierce mechanics came in to the City garage and worked on it and I hope that it's to no cost to the City. But certainly, this is something that took place a few months after its purchase, so it's within the one-year warranty.

I've been led to believe by City mechanics that it's very unusual for heavy equipment of this nature and cost to break axles and to have this kind of a vehicle default.

So, I'm very concerned about this issue and I would like to ask Council to join in just asking for a formal letter to be sent to the Mayor and to the Fire Chief regarding this incident. In other words, I think we're at least owed a report from the Fire Department, from the Mayor, regarding this incident and what plans they have regarding the possibility that there is design fault and not just the visibility and the problems that we've known to date but a new problem now has arisen regarding the issue of broken axles. But before we take delivery of the last two trucks, I think we're at least owed a formal explanation as to what is happening.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Secondly, very briefly, I want to announce publicly that I've given up the battle so that nobody else keeps bugging my about this issue, and that is, a most important issue, as I indicated earlier, and that is the benches in the lobby of the City County Building.

As far as I'm concerned, the Mayor's word right now is the gospel and the gospel from Mayor Masloff is that no way are those benches going back into the lobby. So we're stuck with the potted plants.

So, please, public, do not call my office; do not harass me as I walk into the City County Building. If people feel strongly about the issue of the benches, then I'm sure that this will emerge as one of the more important issues that the Mayoral candidates will address.

The Mayor has made it clear that she's laying down the law of the land. She's establishing herself as a strong Mayor and she's indicated that she will not put them in. I'm certain that the Mayoral candidate Michelle Madoff will only want to take action voting several different ways, only after a public hearing and extensive feelings from the public will be communicated to this body. Certainly Mr. Lucchino as a Mayoral candidate will wait for the editorialist, Mr. Craig, to address the issue before he takes any such action. And I'm sure my good friend, Tom Flaherty, will want to audit exactly where the heck the benches are that were down there. And I hope he'll pursue a performance audit. And everybody knows candidated Tom Murphy from the North Side will want to relocate those unused benches to some North Side park.

So, I would hope that this would emerge as an important issue but please, do not bug me anymore about these darned benches. Thank you.

**Mr. DePasquale:**

On the same subject. First of all, I believe sincerely that the reason the benches were taken out was to discourage people from sitting there and smoking because Council did pass that

silly no-smoking ordinance some time ago and therefore it would discourage them from sitting around and smoking. On the other hand, I think that they could probably sit in the potted plants if they wanted to.

**Mr. Wagner:**

Mr. President, two items. Earlier there was a vote on a bill that was defeated due to a lack of five votes and that has happened several times since Council is operating with eight members.

I would like to ask the Solicitor in the form of a motion to provide a written legal opinion of the parliamentary procedure that is implemented when that happens and for him to quote Robert's Rules of Order or whatever parliamentary rule exists supporting that position.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

One additional item. This is not in any way directed at Mr. Ferlo but I have now within one week heard an announced Mayoral candidate talk about their candidacy at last Wednesday's meeting and I have heard reference to several people that are supposed to be Mayoral candidates. This Chamber should not be a vehicle for anyone to talk politics and any time that I hear anyone talk about future elections from this table, or that table behind us, I am going to state publicly that they're wrong. And if I'm chairing the meeting, I'm going to rule them out of order. That is not the purpose of this Chamber; this Chamber should be used for business and business only.

**Mr. DePasquale:**

I second that motion.

**Mr. Coyne:**

Mr. Chairman, first of all, I'd like to concur with Mr. Wagner's statements; I think we should try to keep politics and campaigning out of these Chambers as much as possible.

Also, I'd like to publicly commend Mr. Wagner. On Saturday, marching in the V.F.W. parade up in Mount Oliver, a man, unfortunately, had a heart attack. The man did die, but Mr. Wagner was one of the first people to come to his aid and he gave him mouth to mouth resuscitation and worked on the man until the paramedics got there. I'd like to publicly commend Mr. Wagner for his efforts; they were very well done. Unfortunately, the man didn't make it but I think it was very quick thinking and something I admire very much.

**The Chair:**

Thank you, Mr. Coyne.

I'm sure that all of us have been deluged with calls about a bill that's coming up, equal rights or gay rights, whatever you call it. My phone — I've never — In fact, I called the TV station and told them to take my number off that ad; I'm getting bombarded. Everyone is calling and naturally they're voicing their opinions both ways, but they're calling to ask if this Council will televise that hearing. I'm against televising all these hearings but I promised the people I would bring it to the floor. Is someone wants to make the motion to televise that hearing, I'll honor that motion.

---

**Mr. Wagner:**

So moved.

**Mr. DePasquale:**

I'll be glad to second that motion. I think a lot of people out there want to see the characters.

Which motion prevailed.

**Mr. Lyons** moved to excuse Michelle Madoff and Mr. Pollock for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, September 19, 1988

No. 36

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, September 19, 1988

#### PRESENT:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

#### ABSENT:

Mr. Lyons

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

We have two resolutions that were already given, we all signed them prior approval, and that's Mr. DePasquale's and Mr. Wagner's resolutions.

##### Mr. DePasquale presents

No. 1370 WHEREAS, Father Norbert Rupprecht of St. Boniface Church was born September 22, 1908, and will celebrate his 80th Birthday in this year 1988; and

WHEREAS, Father Norbert was professed a Monk at St. Vincents Church in 1928 and was ordained a Priest in 1934; and

WHEREAS, Father Norbert became Pastor of St. Boniface Church in 1969, and has served his parishoners and friends with sincere dedication throughout his tenure, and since his retirement as Pastor in 1985, Father Norbert has remained active in the parish; and

WHEREAS, Father Norbert devoted his life to community charity, and it was the great leadership of Father Norbert which saved St. Boniface Church from being demolished when the East Street Expressway was built.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Father Norbert Rupprecht on his 80th

Birthday and wishes him many happy returns.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Wagner and Mr. DePasquale present**

No. 1373 WHEREAS, on July 18, 1979, the first POW/MIA recognition day was observed at Point State Park; and

WHEREAS, there are still 2,500 American POW/MIA's unaccounted for from the Vietnam War; and

WHEREAS, 125 POW/MIA's are from Pennsylvania, including 20 residents of Allegheny County, and 11 men who made their homes in Pittsburgh; and

WHEREAS, on Friday, September 16, 1988 at 10:00 A.M. a ceremony and service for the 2,500 still missing in action will be held at the Highland Park Drive Veterans Hospital and a ceremony will be held at 2:00 P.M. at the Vietnam Veterans Memorial at Roberto Clemente Park on the North Shore, and these ceremonies are sponsored by the Pittsburgh Chapter of ex-prisoners of war, and prisoners of Corregidor and Bataan.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes September 16, 1988 as "National POW/MIA Recognition Day" to increase public awareness of this issue and thereby assist in efforts to resolve the fate of our missing men; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the ceremonies

scheduled for Friday and joins the nation in recognizing September 16, 1988 as "National POW/MIA Recognition Day".

**Mr. Wagner** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Members of Council, this resolution is being introduced by myself as well as Councilman DePasquale, Chairman of the Public Safety Department.

I'd like to ask President Jim Weslager and some of the others up here from the Paramedics' Union.

**Mr. Ferlo and Mr. DePasquale present**

No. 1371 WHEREAS, the members of the Fraternal Association of Professional Paramedics devote their lives to saving of lives of others; and

WHEREAS, Emergency Medical Services teams consist of emergency physicians, nurses, emergency medical technicians, paramedics, educators and administrators; and

WHEREAS, the people of the City of Pittsburgh benefit daily from the knowledge and skill of the Fraternal Association of Professional Paramedics; and

WHEREAS, advances in emergency medical care increase the number of lives saved every year; and

WHEREAS, the members of the Fraternal Association of Professional Paramedics work together to improve and adapt their skills as new methods of emergency treatment are developed; and

WHEREAS, the designation of "Emergency Medical Services Week" will serve to educate the people of the City of Pittsburgh about accident prevention, how to access the EMS system, and what to do when confronted with a medical emergency; and

WHEREAS, it is appropriate to recognize the value and accomplishments of emergency medical teams by designating "Emergency Medical Services Week".

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh hereby declares the week of September 18-24, 1988 to be Emergency Medical Services Week and calls upon the citizens of Pittsburgh to avail themselves of informational and training programs to better be informed about Emergency Medical Services.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Thank you. I also believe Chief Kennedy is in the audience also and I'd like to recognize him and his department.

This week is also being declared so by Governor Bob Casey and it's very obvious to me that we have one hell of a group of workers when we have the professional paramedics.

At this time I'd like to give the resolution out and my colleague, Mr. DePasquale, might have a comment and also the President of the union, Jim Weslager and two of his representatives and maybe they'd like to say something also.

**Mr. DePasquale:**

I'd just like to echo the sentiments of my colleague, Jim Ferlo, and the rest of Council for passing that resolution. It's a great thing. Thank you.

**Mr. Weslager:**

With your indulgence, Mr. President and members of Council, it's the desire of the Fraternal Association of Professional Paramedics that the proclamation of EMS Week will serve to enlighten and educate the public as to emergency medical service here in the City of Pittsburgh.

It's important to realize that in the event of a medical emergency or sudden illness that you dial 911 immediately. Often times, we need to get to the scene quicker than we have in the past; we'd ask you to please call immediately. Wasted time might make the difference between life and death. Thank you very much.

**Mr. Pollock presents**

No. 1372 WHEREAS, NEIGHBORFAIR '88 is an event that promotes and celebrates Pittsburgh's neighborhoods; and

WHEREAS, NEIGHBORFAIR '88 was established in October 1982, and is sponsored by the Neighborhoods for Living Center of the Urban Redevelopment Authority of Pittsburgh, the City of Pittsburgh, Mellon Bank, and is supported by many other businesses and corporations; and

WHEREAS, the theme of NEIGHBORFAIR '88 is THE END OF THE RAINBOW STARTS AT YOUR DOORSTEP. Neighborhoods, city departments and agencies will focus on the many great things about Pittsburgh

that can be found "right on your doorstep"; and

WHEREAS, NEIGHBORFAIR '88 will be held September 22 through September 25, 1988 from 4:00 to 10:00 P.M. on Thursday and Friday, and 11:00 A.M. to 10:00 P.M. on Saturday and Sunday at the David L. Lawrence Convention Center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks and commends NEIGHBORFAIR '88 for its time and dedication in helping Pittsburgh to explore new and innovative ways to enhance our neighborhoods and the Council wishes NEIGHBORFAIR '88 much success in this event; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares the week of September 19-25, 1988 as NEIGHBORFAIR '88.

Mr. Pollock moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Pollock:

Congratulations. I always love going down there. It gets bigger and better every year with more neighborhoods participating.

With me here is Mary Lou Daniel who is the Executive Director of Neighborhoods for Living Center. Is that your title?

Ms. Daniel:

Manager.

Mr. Pollock:

Manager, okay. Mary Lou will receive the resolution and maybe say a few words.

Ms. Daniel:

Thank you, Mark, and members of Council. I have with me today Community Affairs Coordinator Colette Hucko from Mellon Bank. Mellon has been our sponsor since the very beginning.

As Mark said, this is the sixth annual Neighborfair. We've moved back to our original home at the Convention Center. There are over 70 exhibits and lots of fun and lots of things to do, so I hope you all take some time and come down Thursday, Friday, Saturday or Sunday. Bring your kids; we've got all kinds of games for the kids to play, trains, everything. And if you don't have kids, come on down and listen to Billy Price or Jimmy Beaumont and the Skyliners on Friday and Saturday night. There's something to do for everyone.

We'd just like to thank Mellon for being such a good corporate sponsor and supporting Neighborfair over the last six years. Thank you.

There are a number of people back there who helped plan Neighborfair. I'm not going to ask them all to stand up and name them but without some of those people back there, we wouldn't be able to do it. And, of course, the representatives. There are more than 2000 volunteers from the neighborhood organizations who helped put this together. Thank you.

Mr. Coyne presented

No. 1346 Communication from Paul McDermott, Director, Department

of Engineering and Construction, requesting authorization for Bruce Farber, to attend the Computer Mapping and Land Information Systems Symposium, Chattanooga, Tennessee, October 25-27, 1988, at a cost not to exceed \$1,000.00, payable from Code Account No. 1482. Prior approval granted by Council September 6, 1988.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Ferlo presented**

No. 1347 Resolution providing for an agreement granting Gold Auto Parts, its successors and assigns, in connection with the construction of a building over a City sewer on the property of Gold Auto Parts at No. 271 and No. 273 Baldwin Road, 31st Ward, City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1348 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh being designated as Block 9-M, Lots 154, 156 and 159, (1842, 1844 Ridgeway and 841 Ledlie) under the Residential Land Reserve Fund at a cost not to exceed \$1.00 plus all necessary and incidental expenses in connection with such acquisition.

Also,

No. 1349 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh being designated as Block 4-C, Lot 94 and

Block 4-G, Lots 249, 254 and 256 (Vinecliff Street) under the Neighborhood Housing Fund for \$1.00 plus all necessary and incidental expenses in connection with such acquisition.

Also,

No. 1350 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 21st and 25th Wards of the City of Pittsburgh being designated as Block 22-C, Lots 100, 101, 103, 107, 109 and Block 22-H, Lots 43, 44, 44A, 45, 46, 186, 192, 223, 223A, 223B, 223C, under the Residential Land Reserve Fund at a cost not to exceed \$1.00 plus all necessary and incidental expenses in connection with such acquisition.

Also,

No. 1351 Resolution approving the sale of Parcel A-1 in the Fourth Ward in the City of Pittsburgh by and between URA and the Commonwealth of Pennsylvania, Department of General Services, for \$1.00 - ILRF (Pittsburgh Technology Center).

Also,

No. 1352 Resolution approving execution of a Contract by and between URA and Gildas A. Kaib, Jr. for the sale of Block 4-C, Lot 94 and Block 4-G, Lots 249, 254 and 256, in the 18th Ward of the City of Pittsburgh for \$2,500.00 - Neighborhood Housing Fund (Vinecliff Street).

Also,

No. 1353 Resolution approving execution of a Contract by and between URA and North Side Civic Development Council, Inc. for the sale of Block 46-J, Lots 140, 141 and 143, in the 26th Ward

of the City of Pittsburgh for \$2,000.00 - Residential Land Reserve Fund - Vacant Property Review Committee (400-402-406 Chautaugua Street).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1354 Resolution providing for the issuance of a warrant in favor of Hydra-Stop, Inc., 126th and Homan Avenue, Blue Island, IL 60406, in the amount of \$2,500.00, chargeable to and payable from Code Account 1985 (198507) Equipment, Dist., Div., Dept. of Water, for emergency replacement of a 6-inch valve. Prior approval granted by Council June 6, 1988.

Also,

No. 1355 Resolution transferring \$24,000.00 from C.A. 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Div., Dept. of Water, to C.A. 1971 (197103) Premium Pay, Purification and Pumping Div., Dept. of Water.

Also,

No. 1356 Resolution transferring \$85,450.00 from C.A. 1926 (192609), Municipal Obligations for Non-City Water Agencies, Admin., Div., Dept. of Water, to C.A. 1981 (198101) Premium Pay, Distribution Div., Dept. of Water.

Also,

No. 1357 Resolution transferring \$108,000.00 from C.A. 1926 (192609) Municipal Obligation for Non-City Water, Administration Div., to C.A. 1983 (198309) Supplies and C.A. 1986 (198606) Materials, Distribution Division, Dept. of Water.

Also,

No. 1358 Resolution transferring \$16,000.00 from C.A. 1926 (192609), Municipal Obligation for Non-City Water, Admin. Div., to C.A. 1927-9 (192799), Worker's Compensation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1359 Communication from Alex Sciulli, Director, Department of Water, requesting authorization for Edward Blair and Stanley States to attend a five-day conference entitled, "Current Issues in Water Analysis and Treatment", American Water Works Association 1988 Water Quality Technology Conference, St. Louis, Missouri, November 12-17, 1988, at a cost not to exceed \$3,100.00, payable from Code Account No. 1922, Miscellaneous Services.

Which was read and referred to the Committee on Water.

**Mr. Wagner presented**

No. 1360 Resolution authorizing the Mayor and the Director of the Commission on Human Relations to make application for a grant(s) in connection with deferral of employment discrimination charges, providing for execution of payment vouchers, and creating a special trust fund in connection with the EEOC-706 Project.

Also,

No. 1361 Resolution authorizing the Mayor and the Director of the Commission on Human Relations to make application for renewal of fair employment practices in connection with deferral of housing discrimination

charges, HUD/FHP Project and providing for certain related required transactions.

Also,

No. 1362 Resolution amending Resolution No. 967, Item B, approved December 4, 1987, which authorized sale of property in the 4th Ward, 3509-3513 and 3515 Wakefield St. to John H. Richburg and Gayle L. Washington. The reason for the amendment is to delete 3509 Wakefield St., as City does not have marketable title, from the sale and to reduce the sale price.

Also,

No. 1363 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1364

Report of the Committee on Finance for September 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1283

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gal Construction Company in the amount of \$195,372.55 in partial

payment of an Emergency Contract for the Reconstruction of the Windom Street Wall; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill No. 1283, I would like my comments brought forward with reference to the fact that the procedure is being abused and that an emergency doesn't take six months. We don't need to have signatures signed, inter-office, not brought to the table, and I just would like my comments brought forward on that bill.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 1283 -  
WEDNESDAY, 9/14/88)

Michelle Madoff:

Discussion. Director, on Bill Nos. 1283 and 1286 which are companion bills, what the net loss or gain please?

Dir. McDermott:

Net loss or gain?

Michelle Madoff:

You're taking from one and adding to another.

Dir. McDermott:

One is a budgeted amendment taking \$350,000.00 out of the previous legislation authorizing wall construction and transferring that monies over for the Windom Street wall.

Michelle Madoff:

So in other words what we're doing is going to a line item where perhaps we're not using the money right now and putting it where you need it.

Dir. McDermott:

Yes.

Michelle Madoff:

This was an emergency. Was it an interim approval?

Dir. McDermott:

Yes.

Michelle Madoff:

From the time you were notified that there was an emergency here -- would you also help me because I'm having some problem locating facilities. For example, I know there's a slide that backs up to Grandview near Mt. Washington and I can't figure out exactly that it was indeed that area. So I want to be sure -- I want to make a point of when I vote I want to know what area I'm voting on. Where is this Windom Street?

Dir. McDermott:

Windom is up above roadway McArdle Roadway above the Southside.



---

Michelle Madoff:

Is this part of the landslide problem?

Dir. McDermott:

Yes.

Michelle Madoff:

Could you tell me how that relates to McArdle Roadway?

Dir. McDermott:

To the lower end after it comes across the Liberty Bridge it's going into the Southside. Go up 10th Street and make a right. As you go across the 10th Street Bridge, cross Carson Street on 10th, go up and make a right going toward McArdle. This is above South High School.

Michelle Madoff:

Okay, now from the time you were notified that this was an emergency -- would you tell me how you thought it was an emergency.

Dir. McDermott:

I think we received phone calls and the roadway was cracking and sliding and so forth and repairs are being made. We went out and evaluated it and looked at the options of the repair, we were trying to develop an alternate method of repair which proved not to be feasible.

Michelle Madoff:

When you realized it was a slide and a problem and cracks and you had to move very quickly.

Dir. McDermott:

We didn't have to move quickly. We judged that we had time to do what we were doing.

Michelle Madoff:

I don't have a problem with that. How long did it take you between the time you discovered this?

Dir. McDermott:

I don't know. I think my Assistant Director may have sent some of the information up on that to you, I'm not sure.

---

Michelle Madoff:

Two months? Is your Assistant Director here?

Dir. McDermott:

No, he's not.

Michelle Madoff:

I have asked this question repeatedly.

Dir. McDermott:

Yes, you did.

Michelle Madoff:

I'll tell you why I'm concerned about it. The Chairman would rule me out of order, there are five people talking, Ladies and Gentlemen and I have not been ruled out of order.

The Chair:

Councilwoman Madoff, stay on the bill.

Michelle Madoff:

I'm trying to, I can't speak with five people talking at one time. Three yes but not five.

The Chair:

Please stay in your chair, stay on the bill.

Michelle Madoff:

I haven't moved and if you thought having a caucus at the other end of the floor --

The Chair:

We're on Bill No. 1283 and Bill No. 1286.

Michelle Madoff:

To continue on the same vein. I have been notified in my office that there are some questions as to and I don't know that they are valid or not so I'm going to ask them, as to how emergencies are being handled. You notified that there's a slide, there are cracks and people have called my office and they call everybody else and they call other members of Council and you're notified and you send somebody out to verify it and you know you've got to do something. In your infinite wisdom you decide whether it has to be done in 20 minutes or it's going to cave down or whether you have time to go out and do something.

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If you have time and you determined obviously you just stated and I think we can have the Stenographer read back the transcript, that in your opinion it was not a crisis and that you had some time to make an evaluation.

Dir. McDermott:

We thought we had some time.

Michelle Madoff:

Why was it a Wallace Act and why was it interim approval?

Dir. McDermott:

Once the decision was made, we decided the alternate method was not feasible. We had to move and we moved on this basis.

Michelle Madoff:

I repeat, it's either an emergency or it's not an emergency. If it's not an emergency, we don't have to have a Wallace Act and for the public who's watching, a Wallace Act means that five signatures are obtained privately by sending a note around to everybody's office to approve any actions that the City would like to have and some of us don't even know about it most of the time and you know I don't sign any interim approvals for you. Very rarely, I try not to. But I do want to point out that in this particular case I'd like to know how many days after you knew it was an emergency did you meet with people, what was the mechanism for meeting with people, who did you meet with, did you go out on bid, did you go to a letter bid, letter bid meaning that you contact people by letter saying to come in and that we have an emergency, did you do telephone bids, how did you handle this emergency because it goes to the heart of how we do business in the City, Mr. Ferlo, and what kind of dollars did we spend?

Dir. McDermott:

I think I answered these identical questions at the last meeting.

Michelle Madoff:

But I didn't get answers.

Dir. McDermott:

I thought I gave them to you. And an emergency is something that is detrimental to health and safety and there are different levels of an emergency. Once a decision was made as to what the design solution was best suitable for this particular problem, then you evaluate it. Is the thing stable enough to last through the normal project processing period and that is design, bidding, award and so forth. And we evaluated this

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particular case and it was not and that we did have to move.

Michelle Madoff:

Would you please repeat that?

Dir. McDermott:

We decided at that time when the design solution was selected that we did not have time to go through the normal process that a project takes.

Michelle Madoff:

How long did it take you between the time you discovered this emergency and you came up with a design solution?

Dir. McDermott:

That's not important. We felt that we were working with the situation that we could handle. We went through for the design solution and when we selected that design solution then from there on we did not want to take the six months that it normally takes.

Michelle Madoff:

You're telling this Council and the public of this city that if you have a slide there's no way you could expedite by going to the Chairman of the Finance Committee or to Mr. Woods and say that we have this landslide and we'd like to get this done as quickly as possible and therefore would you put it on the agenda, waive Rule 8 which is a matter of seven days as opposed to going privately and getting signatures for a Wallace Act as an emergency; that's what I'm concerned about.

Dir. McDermott:

The legislation is not the problem, you're not listening.

Michelle Madoff:

I'm listening very clearly and I also know what happened here.

Dir. McDermott:

I can't tell you anything more than I already have told you.

Michelle Madoff:

I want to be very clear that you understand where I'm coming from and my colleagues understand. There is an emergency. There is a crack, a leak, a slide, whatever. You determine that you have enough time and you don't have to act

that immediately but you can have the time to go out to a design --

Dir. McDermott:

On this particular one, yes.

Michelle Madoff:

As the Chairman would say -- stick to the bill. On this particular design you decided that there was enough time to go out and do the design. My question to you is approximately how long did it take you to go to the design? From your memory, a week, three months, forty days, three years.

Dir. McDermott:

A good length of time.

Michelle Madoff:

How good a length of time was it?

Dir. McDermott:

If you want a specific answer --

Michelle Madoff:

Ballpark it.

Dir. McDermott:

No ballpark. You don't want ballparks.

Michelle Madoff:

Yes, I do. At least two months of the amount of time.

Dir. McDermott:

At least.

Michelle Madoff:

I'm suggesting to everybody here and anybody listening that two months at least and probably a lot longer to go to a design in an emergency and then for you to go around and get interim approval behind the scenes is absolutely unconscionable and it's something that we can no longer tolerate and I hope my colleagues are getting the message. it's either an emergency or it's not an emergency and the Wallace Act cannot be flaunted just at the whim of somebody who wishes to use it, I think I've made that point.

Second point. I then want to know, did you go out to bid?

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Dir. McDermott:

As I told you at the last meeting we received three quotes on it.

Michelle Madoff:

How did you get those quotes?

Dir. McDermott:

By telephone.

Michelle Madoff:

So we knew for at least two months if not longer that this was a problem and it had to be resolved even though it was an emergency because we had lots of time to come up with a design but we did not go out to bid the lowest responsible bid, what we did was make some phone calls and what we did with the phone calls is get three telephone bids; is that correct?

Dir. McDermott:

Yes.

Michelle Madoff:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1284

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael Chirigos, Architect, in the amount of \$410.00 for professional services in connection with Window Replacement at Fire Stations #10, #12, #13, #14 and Police Station #4; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1285

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$2,430.00 for the installation and phone line drop charges for an

electronic security system at the Hazelwood Car Barn Citizens Center; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1301

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling Twenty Thousand, Five Hundred and Ninety (\$20,590.00) Dollars for payment, without previous authority of law, to various vendors as sole source manufacturers of this equipment, for expenses incurred during the disassembling and moving of specialty equipment from the Public Safety Building, in order to protect the warranties on this equipment. Funds are available in Code Account 4-30-01-0010-88, Index Code 370692, Project Code #GS 88-05. Retrofit of Public Safety Building, Department of General Services."

Which was read.

Also,

Bill No. 1309

A Resolution entitled, "Resolution providing for the issuance of a warrant to Mary Hummel and Stephen A. Hummel, in the amount of \$5,000.00 in full settlement of claim for personal injury, and providing for the payment."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1310

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Neighborhood Employment Program and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1311

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1312

A Resolution entitled, "Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City in accordance with Act No. 171 of 1984 and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1313

A Resolution entitled, "Resolution Repealing Resolution No. 38; approved February 3, 1988, which repealed Resolution No. 38, Item C, approved February 2, 1987, which authorized the sale of property in the 11th Ward, Block 83 B, Lot 96, known as 5536 Baywood Street. Repealing Resolution No. 38 approved February 3, 1988, was initiated as the former owners filed a Petition To Redeem the property."

Which was read.

Also,

Bill No. 1314

A Resolution entitled, "Resolution Repealing Resolutions approved on various dates authorizing the sale of properties in various Wards of the City in accordance with Act No. 171 of 1984 and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1315

A Resolution entitled, "Resolution Repealing Resolution No. 184, Item F,



approved March 25, 1988, which authorized the repealing of Resolution No. 735 of 1986, Item C, which authorized the sale of property in the 14th Ward, Block 175 P, Lot 49, known as 7724 Brashear Street. Repealing Resolution No. 184, Item F, was initiated as it was believed that the purchaser had not complied with the steps of the sale procedure and had not paid the balance of purchase price in the time span allotted to do so."

Which was read.

Also,

Bill No. 1316

A Resolution entitled, "Resolution providing for the acquisition from Richard R. and Betty Ann Ulicny, certain property located in the 15th Ward, City of Pittsburgh, for the development of a Tot Lot and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 1317

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1318

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City

of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1333

A Resolution entitled, "Resolution amending Resolution No. 895 effective October 13, 1986 entitled: 'Resolution amending and supplementing Resolution Number 829 of 1984 by expanding the scope of the previously authorized professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligation Bonds at an annual cost not to exceed One Hundred Fifteen Thousand Dollars (\$115,000.00), subject to annual appropriations and making such agreement chargeable to and payable from the Sinking Fund, Index Code 000208', by extending the period of services."

Which was read.

Also,

Bill No. 1334

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Title II-A Pregnant and Parenting Youth and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 1365

Report of the Committee on Public Works for September 14, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1141

A Resolution entitled, "Resolution vacating Scott Place between Fort Duquesne Boulevard and Penn Avenue in the Second Ward of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

I'd like my comments brought forward on Bill 1141 in relation to the vacation of Scott Way, the giving up of land in the Downtown area for the Pittsburgh Trust For Cultural Resources.

**Michelle Madoff:**

I would like to ask that my comments be brought forward as well to give some balance to somebody who may be looking at this 20 years from now to see what really did happen on that site.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 1141, WEDNESDAY, 9/14/88)

Mr. Ferlo:

Discussion. This bill has been bantered about on Council for the last month and one-half and maybe a couple more questions can be answered.

I think I've stated pretty clearly my concern about this legislation being the fact that we were vacating an apparently significant piece of property in the Downtown area.

It's been alluded to by the Administration that the reason for this is a public benefit and that there is a development plan for the area. That is to me all well and good but to date we have not seen any of this information and I don't believe it is the purview of the Solicitor to come to the table and supply that information so much as it shouldn't be someone from City Planning or someone who can officially give us some information in this regard and that is not being disrespectful to my good friend, Mr. Pellegrini, but to date we really haven't received this information and today I would like to have received some of that.

The other major crux of my argument is that if we are vacating the property as we have so many times in the past at the neighborhood level as well as in the Downtown area, we usually vacate the property and ask for a dollar figure, a fair market value contribution for giving up the public land, and I have an amendment to offer but I wanted to call Mr. Murphy to the table to explain a memo that he sent to Director Gaetano from Public Works regarding this issue of the fair market value of the land and I don't know if Mr. Pellegrini would also want to comment.

Mr. Pellegrini:

I can address that. My recollection is that the fair market value of the land was \$300,000.00 or something like that.

First of all, you really have to understand what we do when we vacate. We do not own the land; we do not own Scott Place. What we have is a right of access over Scott Place and what we ask developers to pay for is our vacation of our interest so our interest is not a fair market value, but separate and apart from that, the Trust for Cultural Resources owns this block and I think if any of you look at "Governing Magazine" which I think we all get, there was an article about cultural resource districts and how they revitalize a downtown area. The Trust for Cultural Resources -- I know the ordinance is Beynon and if you want to amend it and put in "Trust for Cultural Resources" that's fine because Beynon is receiving no compensation for it -- is doing significant things in that block to aid in the development of the Fulton Theatre and parking for the Benedum Theatre. There's approximately 13,000 square feet being vacated.

They're putting in roughly a 12,000 square foot park at the corner of Penn and whatever the corner is that will be for the public benefit similar to the one at Heinz Hall. They also intend to construct a parking garage -- none of these will be tax exempt -- so the idea that there's no public benefit here is just wrong.

The Trust for Cultural Resources is doing that area and I thought this had passed and if you remember a newspaper article that there was a business company that moved down into the area because of that, so if you want to encourage development, these are the types of things that we have traditionally done to encourage development. And in neighborhoods we vacate often without a fee so it is not something that isn't done.

Mr. Ferlo:

I didn't say that there necessarily isn't a public good, I'm only saying that to my knowledge this Council, as a legislative body being asked to vote on this vacation, has not been given specific information such as what you talked about in terms of the public good. You did mention the fact this will not be tax exempt but that there will be some type of payment. Now I don't know if that is a payment in lieu of taxes or that there will be "for-profit" activities --

Mr. Pellegrini:

-- it's going to be taxable.

Mr. Ferlo:

I understand that but I think it's fair and legitimate for this Council to request that information and when the bill comes to the table from the Administration regarding vacations that you explain some of this and stipulate it as a matter of record.

Mr. Pellegrini:

But I did.

Mr. Ferlo:

You did it now because I'm harrassing you to come up.

Mr. Pellegrini:

I explained the same thing six weeks ago and at that time I even brought the attorney for the Trust for Cultural Resources here and we could have explained that in detail.

Mr. Ferlo:

I was not aware that there was any attorney who was willing to come to the table.

Mr. Pellegrini:

But he was here at that time and I had him to give all the back up and we could have explained in great detail what their plans are for that area. And one of the reasons that we didn't explain it previously is that there is no secret about this. There were newspaper articles about it as to their plans, the Trust is a semi-public body that runs the Benedum which we have a significant investment in. The Benedum is actually owned by the Public Auditorium Authority of the City of Pittsburgh and that's part of the cultural district plan that was outlined when it was brought before Council when the Benedum went in.

Mr. Ferlo:

Mr. Chairman, I guess I disagree. One, I still don't think we have gotten specific information other than a lot of great rhetoric from the Solicitor much of which I agree with in terms of the public good, but we haven't gotten specific information.

Two, I do think that when we vacate a significant piece of property like this, I agree that we're talking about the easement and not actually giving up the public land, but I have found in many instances in the past where we have asked the dollar figure. I think given the priorities of this city for neighborhood development and other kinds of activities that we need revenues for, I think it's very fair because I think there are "for profit" relationships that will go on as a result of this activity and not just a dance in the arts and all this great hulabaloo smokescreen that's always put up when it's something for the cultural trust.

I think it's relevant for me at this time to offer an amendment to this legislation to the tune that the resolution be amended to allow for the collection of \$320,000.00 which is 50 percent of the market value of the land and that before we deed it over that we receive from the property owners involved, the sum of \$320,000.00 for the use of the City of Pittsburgh and I'd like to make that in a form of an amendment.

The Chair:

Is there a second to that motion to amend the bill? The motion fails due to the lack of a second.

Mr. Ferlo:

Fine, I'd like to make a second amendment and that is that instead of this being deeded to a "for profit" real estate company Beynon and Company, that the legislation be amended to read the "Pittsburgh Trust for Cultural Resources".

Michelle Madoff:

Second.

Which motion prevailed.

The Chair:

Discussion on the amendment, Mr. Ferlo.

Mr. Ferlo:

Again I think Council is in error in not asking for a dollar figure. It always seems like if it's for the downtown area you're ready to bend over backwards. I think this is a good opportunity in which we could have raise some money and target it for neighborhood development; there's not support on Council for that and in light of that I can't see giving it to a "for-profit" real estate organization in terms of the deed regardless of whatever agent role they're playing in this matter. I would prefer that the legislation read the actual party that we're involved with.

Mr. Pellegrini:

We have no objection that.

Michelle Madoff:

Mr. Chairman, I support accuracy, checks and balances and all those good things and apple pie and therefore I will support Mr. Ferlo in clarifying the bill so the public will understand that the transfer is not going to Mr. Beynon and his company and to clarify it, it is indeed going to the cultural arts.

Mr. Pellegrini:

Right, when the bill initially came in --

Michelle Madoff:

-- let me do my own thing. My understanding is the Beynon Company who came up with a concept was a conduit.

Mr. Pellegrini:

They are an acquiring arm for --

Michelle Madoff:

-- exactly, they are the conduit and what I'm saying is that just to clarify and to go with the proper procedure, I support Mr. Ferlo in changing the wording to say it is indeed going to the cultural arts and you do not have a problem with that.

Mr. Pellegrini:

No.

Michelle Madoff:

As to whether we should charge for that, I think that would be pennywise and pound foolish. This only hope of the City surviving when we have a population that has gone from 700,000 to soon 358,000 at the next census, is to make this truly the most liveable city. One has only to go through this city -- I went out to look at those reservoir covers the other day and I had not been in that part of the city in a long time and house after house after house after house up for sale, people are moving with their feet. We need whatever we can to attract people to live in the city and preferably now so that we can enhance our tax base and to penalize the arts, it's like saying that we don't need symphony, we don't need the ballet, we don't need the Benedum, what have we got? These are the things that make people want to live in our community as opposed to living in other communities and I think we would be absolutely foolish to start charging for the public good; this is the public good and I don't think Mr. Ferlo disagrees.

Mr. Ferlo:

Mr. Chairman very quickly in response, I do not disagree, this is not an attack on the arts. There are "for profit" relationships that will go on now and in the future whether it be under the guise of the Trust or other profit-making ventures that will take place on or over or around the vacation of Scott Place and I'm saying it's about time that there be some quid pro quo, that we get something back in return in addition to the public benefit and that is dollars and that was the intent of my amendment.

Michelle Madoff:

I wasn't through, I was interrupted, may I continue?

The Chair:

You have the floor.

Michelle Madoff:

Mr. Pellegrini, would you help clarify the question that Mr. Ferlo raised, the "for profit" question. Am I correct in assuming so that I vote not in a vacuum but vote in a formal manner that the "for profit" is not going to be on the site of the transfer of this particular alleyway or land that will make it possible to build or develop this facility?

Mr. Pellegrini:

As far as I know the plans don't -- the Trust owns it, the Trust is not a "for profit", it's a non-profit. The reason is isn't tax exempt is that the use is that they're going to put it for is not eligible for taxes.

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Michelle Madoff:

What do you mean by that?

Mr. Pellegrini:

For instance, if you build a parking garage and it's owned by a private entity, you do not get a tax exemption and they're going to own it and they're not going to seek a tax exemption on it.

Michelle Madoff:

But it's going to be going to -- the money will be used by the non-profit agency.

Mr. Pellegrini:

The money will be used to construct a garage and we will get the real estate --

Michelle Madoff:

Who is "we"?

Mr. Pellegrini:

The City. The Parking Authority is not going to construct the garage.

Michelle Madoff:

That's what I wanted to know. Who will build the garage?

Mr. Pellegrini:

The Trust, the Parking Authority will not pay for it.

Michelle Madoff:

So let's get this straight. They'll build it, why would they give us tax on it if it's for non-profit because other people may use it.

Mr. Pellegrini:

A non-profit agency is not entitled to this. Just because it's non-profit, that doesn't mean that they are charitable and this is not a charitable enterprise.

Michelle Madoff:

But it goes to the issue that you can't build it if you do not have the parking lot.



Mr. Pellegrini:

You cannot build it if you do not have Scott place to get to this.

Michelle Madoff:

Mr. Ferlo has a valid point. He's saying that hipbone is attached to the thighbone. That in order to build this facility yes you need the alley and he's not objecting to the public good but he's saying if there is going to be money made on that facility that indeed if it's not going to be used solely for the public good in a tax-exempt manner and you've already answered the question, the answer is yes they are going to pay taxes on it because other people may use it but you can't build one without the other. So that you've taken care in the spirit of doing something in the correct manner, the corporate or whoever is building this entity or in the people in the arts are saying we have a community responsibility to Pittsburgh and therefore we will pay a tax.

Mr. Pellegrini:

I think what has been glossed over here is not only are they -- let me make a point. There is roughly 13,000 square feet that we're vacating in the alley. They are going to operate a park similar to the ones at Heinz Hall at the corner, so there is an amenity that is going in there. What you have to look at is from a development viewpoint -- if for instance somebody would want to come in and put up a major office building there and when we do things like UDAG's and everything else, they're going to make profits and we give them a lot of money to build an office.

Michelle Madoff:

You're answering my question before I ask it. Isn't it true that anytime you put a park up whether it's put up because the City puts it up or anytime you put up a lovely -- you put up an antique shop, other antique shops come in and it becomes a center for antiques. If you build something for the arts, it becomes an attractive area, a more attractive area, it attracts people to the area so it becomes a plus to all of us. So why would we say because we're transferring a piece of land that may have a cash value of \$320,000.00 it gives us an amenity back, going to pay -- is a tradeoff of the park and it is going to enhance the area, essentially this facility is making it possible to have another total amenity not only the parklet but the parking lot which can be used when the facility is not in operation, off hours, it also gives us an improvement in the physical community and hopefully we've been saying let's bring people back to the city to build more buildings and broaden the tax base of the community. So when the statement is made that there will be public gain from this, I certainly hope so, and put people to work and have some jobs; am I right or wrong?

Mr. Pellegrini:

That whole idea around the cultural district is that you attract other types of businesses into the district. People living -- and there was an article, it was an office equipment company that's locating from the South Hills into Pittsburgh and the reason they did it was the cultural trust and ironically the URA is putting substantial amounts of money in there and street-front improvements for facade improvements to keep the historic character of the district, so I mean you just can't say we're going to give money away and say that's correct and then say when we come in to advance that purpose we're going to waive a vacation fee, that that's inconsistent. And they're all for profit that we're giving money for. This is a non-profit.

The Chair:

Just for the point of clarification, Mr. Ferlo, could you restate your amendment?

Mr. Ferlo:

The amendment is to change the real estate company, Beynon and Company, to the Pittsburgh Trust for Cultural Resources.

The Chair:

There was a second on that motion.

Mr. Ferlo:

One last legal question. In five years from now if we're deeding this to the Pittsburgh Trust, what are their legal rights regarding let's say "XYZ Development Company" from New York City comes in and wants to have the property, what are their rights at that point in terms of making money on it?

Mr. Pellegrini:

They could obviously sell it out and I hope that they would sell it out. If they can get someone to put up a 50-story office building there and I would say fine, that is not the plan. I'm just telling you that's not the plan.

Mr. Ferlo:

I understand that but I'm just making the point again that for profit activities could happen sometime in the future once we deed this over to the Pittsburgh Trust for Cultural Resources.

Mr. Pellegrini:

We're giving them the 13,000 square feet and I think they spent an enormous amount of money acquiring the land around Scott Place, so they have a development plan with parking. If in

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ten years somebody comes in and says we're going to pay you all of this money and we're going to put up a 50-story office building, I don't think we should be concerned; I think we should applaud that.

Mr. Ferlo:

I agree with that but what I'm stating is basically a philosophical difference with the Administration and that is I believe all the things you say and the things that Michelle pointed out about the issue of development and the public good and the public benefit, but I'm also stating that there are other benefits and public good that's needed at the neighborhood level and that where we have opportunities to gain something out of a vacation of property where there are for-profit relationships that will exist, and this is the case with Scott Place, I'm all in favor of charging them \$300,000.00 -- I shouldn't be talking about this since I already lost the vote on the amendment because that means \$300,000.00 will be taken from the treasury and that \$300,000.00 could be used in Lawrenceville or Southside or Allentown or Knoxville. It's a different philosophical position in the Administration.

Mr. Pellegrini:

The philosophical position is not that different. Let's say this is a big office building and let's waive the vacation fee, we have ten buildings in Downtown, Pittsburgh that pay 17.8 percent of the real estate tax. If we get an eleventh, that allows us to do things in the neighborhood so I mean the idea is that there are taxes that are going to be generated eventually when they get around to constructing the garage, so you are going to make it up.

Mr. Ferlo:

I agree with you but why not -- let me ask something. Why can't the Administration ever come to Council and say in addition to vacating the land and not charging them anything, everybody is going to be hired by the Cultural Trust to work in that lot is going to be a city resident. I'm saying I want something more since we're giving something up than what the Administration always seems to bring to the table.

Mr. Pellegrini:

You're now switching issues.

Mr. Ferlo:

It's falling into the same vein of quid pro quo, getting something back in return.

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The Chair:

I would appreciate if we stay on the amendment. All those in favor of the amendment? Opposed?

Mr. Lyons:

No.

The Chair:

One opposed.

The Chair:

Now on the bill as amended, any discussion on the bill as amended? All those in favor of Bill No. 1141? Opposed?

Mr. Ferlo:

Opposed.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**Mr. Ferlo:**

I'm all for development in that area and I would applaud any efforts that the Trust makes, the City, as well as any other developer in that area as far as the creation of jobs or any type of economic cultural activity. But I do think it's legitimate for us on this Council to raise the issue of quid pro quo. I think in return that we should get the fair market value of that land. It's all well and good to say that jobs and tax benefits will be accrued in the future, although, in fact, this Council, to my knowledge, did not receive any information as to what the development plan is for the area. That was not presented to Council prior to us voting on this piece of legislation giving away a major piece of property in the Downtown area.

I think in the future it behooves this Council to receive formal written information before we can decide and determine whether or not something actually is for the public good. It shouldn't just be, well, we think this is going to happen. I would like to see that quantified and stipulated before Council before there's votes on these kinds of legislation.

Again, we don't know the number of jobs created, we don't know the amount of tax revenue to be created. I feel very strongly I was unable to get a second to my amendment that in relation to vacating this property we should at least receive the fair market value of \$320,000. I made the point that in exchange for the property, having received that income, we could have used that income to support neighborhood development in housing and/or neighborhood business development. I think it's very fair to do that.

Equally so, I think where we do

give land away for development in the Downtown area to support the Downtown Renaissance, I think we should do what other cities do and that is ask that Pittsburgh residents be hired for jobs. If the Trust is saying, if Mr. Pellegrini is saying, that jobs will be created in this parking lot or whatever development is going to take place, why not attach a rider, an amendment, to this deal that says in exchange for us giving you this land free for development, we want you to hire City of Pittsburgh people for those jobs? I think in the future this Council should take more seriously the issue of tying development and the prerogatives of the private sector to trying to create jobs for City of Pittsburgh residents or receive income, revenues that we could then target towards neighborhood development and housing in the neighborhood business corridor.

I do make out the point that after we seal this deal with this vote today, it could be as early as a year from now and the Pittsburgh Trust could resell that property at a great profit. I mean, it's conceivable for that property to be resold to some major developer which, again, I think we should get something in return more than just some nebulous continual argument about jobs to be created enhancing the area, the traditional Renaissance gobbledygook. I say let's quantify that and know the information.

So, for those reasons, I'm voting no on the legislation.

**Michelle Madoff:**

On that same bill, I think it has been discussed on infinitum although I must agree with Mr. Ferlo that very frequently we ask for information and we don't get it, we vote in a vacuum. But there was enough discussion that that

particular bill to very clearly indicate that it is indeed dedicating land for the public good to the arts which attracts people to the area, makes it a wonderful place to live, keeps us in "the most liveable City". But it is really a garage that is going to generate taxes that are going to be paid to the City fund every year and it will enhance the quality of life for everybody, including the jobs.

And if Mr. Ferlo or anybody else would like to help those of us who have tried over the years to see that dollars are spent when we vote for City residents, we ought to pursue that course of action in a general sense, not targeting any particular company. My understanding is that from what Mr. Pellegrini has told us, and he could be wrong, is that we are not allowed to target dollars and say in exchange, as a quid pro quo, there will be jobs in the City of Pittsburgh. If that is possible, and I understand the courts are still ruling on the Boston situation, if the day ever comes where we can do that, I'm sure that we will. But I believe that there's the issue of federal dollars that are matching funds that come to the community through URA, etc. That is something that should be explored, even though we were unsuccessful; those of us here on Council tried to bring that about earlier. If there's some way of doing it, I'm sure you'd have the support of Council. But it is not responsible to hold up a meaningful project, that is an alley way, by not dedicating the land so we can get on with making the City a better, finer place to live. Thank you.

**Mr. Ferlo:**

I just want to clarify to Michelle because exactly what she said is exactly the opposite. The one ability we have on this Council legally to tie development and ask for something in return is when we have vacations of property which is

an agreement contractually between two parties; in this case, the City and the Pittsburgh Trust For Cultural Resources. Legally, and even if you refer to earlier opinions from Mr. Pellegrini, he has many times come to the table and said that between two parties they can agree to whatever they want. So, the one time we actually do have the law on our side for receiving revenue or putting other kinds of stipulations on these types of legislation is when we are vacating the property. So, I just want to make it clear that while general blanket legislation is problemsome, the one time that we actually do have some legal ability are in contractual agreements such as the one presented here.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1293

A Resolution entitled, "Resolution vacating portions of Brighton Place,

Jacksonia Street and Unnamed Way, in the 25th Ward of the City of Pittsburgh, in accordance with the provisions of the Pennsylvania/Brighton Redevelopment Area Plan and the Pennsylvania/Brighton Cooperation Agreement."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1366

Report of the Committee on Planning, Housing and Development for September 14, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1298

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with North Side Civic Development Council, Inc. for an amount not to exceed \$10,000.00 under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 1299

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of two (2) single family units to be constructed in the 26th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Pollock presented**

Bill No. 1367

Report of the Committee on General Services for September 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1303

A Resolution entitled, "Resolution amending Resolution No. 558, effective June 20, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants, for the Certification of Business Firms as Minority Owned or Women Owned for the City, at a cost not to exceed Twelve Thousand Dollars (\$12,000.00), chargeable to and payable from Code Account 1128, Index Code 112805, Miscellaneous Services, Department of General Services.'"

Which was read.

**Mr. Ferlo:**

Mr. Chairman, in relation to Bill 1303, the hiring of the company that is to do the certification of business firms that are minority or women owned, I hate to say it, but I do find it to be true that this Administration has a very poor track record in relation to awarding contracts to minority and women owned companies. I find it further ironic and laughable that the agency that actually is to do the certification itself is not a

minority or women owned firm. It's not a lot of money but I would think that in one area or one contract or one prerogative that this Administration has in the awarding of a contract to a minority or women owned firm should be to the agency that actually is supposed to do the certification. So, I'm voting no on that very clear principle.

**Michelle Madoff:**

To set the record straight on 1303, Director Botsford pointed out that they had actually chosen a minority firm and the minority firm had backed out and decided that they didn't wish to be the contractor. I believe that the consultant was chosen in good faith and I would hope that in the coming years we'd change our process to the lowest responsible bidder and that the dollars would not be a matter of publication where we say, "Come and get us". But I think we need to tell it the way it was.

The purpose of this legislation and the spending of these dollars is to see that indeed somebody says they're a minority firm, they are indeed a minority firm and they don't have somebody fronting for them.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |



AYES 6      NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1304

A Resolution entitled, "Resolution providing authorization to enter into a Contract or Contracts by the City of Pittsburgh with the Urban Consortium Energy Task Force (UCETF) for a grant in connection with the Alternative Vehicle Fuel Usage Project; providing for the execution of a Grant Contract; providing for required assurances; providing for the deposit of the funds in a bank account of a special trust fund; and upon approval thereof, for an Agreement or Agreements for an internship for a graduate student or students and with a consultant or consultants for professional services in conjunction therewith and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 1304, I would like to point out that we were in a competition to receive the funds and Director Botsford and her staff did a tremendous job in letting us be the recipient of \$52,000 for the feasibility of having the City of Pittsburgh vehicles to operate on both gasoline and natural gas. If the project doesn't work out, there will be no loss of dollars to the City; all the vehicles will be put back to their original state without cost as we've had in other projects. And indeed, we may find some ways to save the City money.

Also,

Bill No. 1306

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery and one (1) Mobile Seating Unit, chargeable to and payable from Code Account 4-30-01-0001 (GS 88-03), Index Code 370346, Miscellaneous Equipment for City Departments, and providing for the payment thereof."

Which was read.

**Mr. Ferlo:**

On Bill 1306, in relation to the bleachers, we're spending over \$13,000 for a portable bleacher stand. I hope that in voting to support this it's not going to be a situation where this bleacher just shows up to wherever the Mayor happens to be cutting a ribbon or some regatta or some event at a time when, if we tour the parks as I have, many of our little league fields actually are short of bleachers.

I'm voting aye on this with the hope that the Department would concentrate a little more attention on Kennard Field, for example, as well as others throughout the City that are badly in need of permanent benches which could easily be built by buying lumber. Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 1368

Report of the Committee on Parks and Recreation for September 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1282

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Cougars for professional services in connection with their football program at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services (183806), in the Department of Parks and Recreation."  
—(SPONSORED BY MR. COYNE)

Which was read.

**Michelle Madoff:**

On Bill 1282, I'm going to vote for the bill because I do not wish to discriminate against one group over another community. But I would hope that when we get into budget hearings,

the Chairman of Finance will call a meeting along with the President and we will set our priorities for next year with a very limited source of dollars as to how we're going to spend our money, not specifically, but in the general concept. Are we going to give it to little groups? Are we going to give it to the big entities? Are we going to channel our dollars in different directions for perhaps issues that are terribly underfunded like literacy? And are we going to look at hiring, finally, after a number of years, a grants person for the City of Pittsburgh?

**Mr. Wagner:**

May I have my comments brought forward on Bill No. 1282 for the Record?

**The Chair:**

I would like my comments brought forward also. Everyone knows, I stated it once, the reason I am voting against this bill is not because I'm against the Cougars Football Team or J & L's Little League or anything else simply because it's politics, it's Mr. Coyne — Got that right? It's politics — Mr. Coyne presented it and he wouldn't vote for the abolishing of the pool fees and, at the time, I said that those who didn't vote for the abolishment of the pools fees, I would not vote or give any other activities money that was raised from the pool fees.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. WOODS AND WAGNER'S COMMENTS ON BILL NO. 1282, WEDNESDAY, 9/14/88)

Mr. Woods:

Mr. Chairman, I think that we should vote this bill down because the sponsor of the bill, Mr. Coyne, he has sponsored two previous organizations and this is his third little league or football team that we voted in favor of. He taken this money out of Parks and Recreation out of Code Account 1838 and he wants to help a small group of people yet he was in favor of the pool fees that hurt the entire city and everybody that lives in the city. Now how many football teams are we going to go and fund by giving \$2,000.00 to? I think we're opening up a can of worms.

Anybody that voted in favor of the pool fees, especially Mr. DePasquale and Mr. Coyne voted in favor of the pool fees, I think this is totally wrong and I would urge this Council to vote it down.

One more thing. In funds like this to date we have given out \$70,000.00 on little leagues and football and I made this point when we fought the pool fees and that all we made on pool fees and all of you should search your conscious before doing this.

Like you Mr. Ferlo I'm going to make it clear. I said in the very beginning when Mr. DePasquale and Mr. Coyne and Mr. Pollock didn't vote to abolish the pool fees that I would vote against the three of them. Mr. Coyne, you came to my office and I told you to your face last week that I wouldn't be voting for this.

Secondly, since Mr. Coyne stated all of these activities that this group does, like we do in Grants and Donations and every other group that we give money to, every other group, the sponsor of that piece of legislation comes in with facts and figures; he just doesn't talk about it, he comes in with brochures, he comes in and says what they do and he hands it to us before we vote on it. The day he presents it to us he comes out and he shows it to us. Now if you have it in front of you, that's fine. I suggest we hold this and provide us with this information and we'll vote on it next week.

Mr. Wagner:

Councilwoman Madoff, then Mr. Coyne, Mr. Pollock, but as Finance Chairman I am going to take the floor and make a comment.

The last time a piece of legislation of this type came up it was sponsored by Mr. Lyons. We had a very heated discussion at this Council in regard to a similar piece of legislation. There is another piece of legislation today sponsored by Mr. Coyne. There are some members of Council, Mr. Pollock in particular, that has spoke against all pieces of legislation

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like this and for that reason at the last meeting on a similar issue I requested from our budget staff a listing of all funds, discretionary funds, over the last three years of which each one of you received a copy of. Every member of Council including Mr. Pollock has sponsored dollars for various organizations except for Councilwoman Madoff. She has been the only person that has not sponsored monies in the last three years, Mr. Pollock has sponsored the AIDS Task Force for \$40,000.00, the VietNam Veterans Monument Fund and also the Western Pennsylvania Conservancy. I have sponsored groups, every other Councilmember has sponsored groups.

The reason for requesting this information I think there needs to be some uniformity in which the monies are granted and personally I think Mr. Coyne, in regard to this piece of legislation, I requested to our Budget Staff that anyone submitting legislation of this type for discretionary funding, to please have the individual contact me and provide information about how the dollars are to be used. That's all I've ever requested for these discretionary funds. The reason for that is I think there are some ways in which to utilize these types of dollars that are very meaningful and very beneficial to the groups and to the neighborhoods. As of this date, me as Finance Chairman, I have received no information of that type in regard to this organization. I will vote for this but I would certainly want prior to Monday that information. Some organizations that we have given \$2,000.00 and I don't know specifically how this organization will utilize the monies. You have stated the type of organization and the type of activities, but I also would like to know more specifics about how they utilize the monies. Some of the \$2,000.00 that we have given to organizations have been utilized in very significant ways with great return on those dollars. For instance, little league associations building refreshment stands for \$2,000.00 with labor provided by the people and the monies only providing for the materials. In essence what we are doing is assisting that organization indefinitely because in the future they can raise monies with that refreshment stand. Those types of investments of \$2,000.00 to neighborhood groups are very worthwhile and should be considered by this Council. However, I think it's extremely important that information be provided to all Councilmembers, and Mr. Pollock suggested that when he was Finance Chairman, information on each organization should be submitted to all Councilmembers. To my knowledge that hasn't been done yet and with this group, and I would strongly recommend it that it be done either today or hold the bill one week or even prior to Monday.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Wagner      |
| Mr. Ferlo      |                 |

AYES 5                      NOES 2

(MR. POLLOCK AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1337

A Resolution entitled, "Resolution authorizing a Lease with the Three Rivers Rowing Association of real property on Washington's Landing to be used as a Rowing Center."

Which was read.

Also,

Bill No. 1338

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to provide for the conveyance of real property to the City for lease as a Rowing Center."

Which was read.

**Michelle Madoff:**

I would hope on Bill 1337 and 1338 that the rowing facility, the dedication of the property so the Three Rivers Rowing Association will indeed keep that property open to all people who would like to put their canoes in the water and it will not become a little private park that's maintained by taxpayers' monies as we've seen in the State for the big boys who want to play with airplanes.

**Mr. Ferlo:**

Mr. Chairman, on Bills 1337 and 1338 in relation to the lease agreement with Three Rivers Rowing Association, I believe we had asked for a lot of information. I specifically asked for a copy of the by laws and a copy of the lease agreement that was going to be signed. My office on Friday by about 4:00 - I believe the Clerk possibly received it at 2:30 or 3:00 - received a copy of the by laws of the organization. I don't know that any Councilmember has an actual copy of the lease agreement with this organization. After the Wednesday session, a gentleman, Mr. Lambert, called me; he's somebody I knew many years ago and I know him to be a very fine individual, and he really set me straight on a lot of the particulars on the issue of the association, some of the very good work that they're doing.

Mr. Pollock made an earlier comment in the Wednesday session about how critical it was for there to be an anchor or some initial development to get things going on the island and that's certainly a very strong point in wanting to pass this. However, I don't like the fact that we're being rushed into approving this lease agreement. I don't want in any way to speak or belittle the organization; it seems to be a very fine effort. But on principle, I have a very

hard time voting for this legislation when, one, I have not received, nor Council has received a copy of the lease agreement; and two, we have only Friday at the end of the work day received other information, the particulars, that were attempting to address some of the concerns of Director Brown.

I feel strongly that we should hold this. I don't know if it's appropriate for me to make the motion but I would like to make a motion to hold this for one week and to recommit.

**Mr. Wagner** seconded the motion.

**Michelle Madoff:**

My understanding is that there is a deadline because there's a national meeting here that will focus a lot of media attention on the City and will be a benefit to the City. People who live here will get national coverage. There was a deadline where we were trying to open that park or just dedicate the land so that we would be in sync with this time frame. My understanding is that it will pass anyway and I think it would be a shame to lose out on whatever public coverage that we could get.

**The Chair:**

I feel as you do and I'm sure Mr. Ferlo feels the same way, and Mr. Wagner. We asked for a simple lease agreement they're going to sign, and they may have already signed it because you get a tentative agreement on Wednesday. If the Law Department has that agreement drawn up, I don't see what difficulty it would have been to bring it to this Council. It should have been brought to us Wednesday afternoon when it was asked for. It's a 30 year lease; we don't know what escape clauses either party may have. Five years from now you might have another use for

that. I don't see anything wrong with them bringing it up and I think this Council is right in recommitting this bill because they didn't bring it up in a timely fashion. I am sure that our Law Department has dozens and dozens of copies of lease agreements down there. Is this one so special that they couldn't send it up and say, here's what we're going to lease this for and for the period of time and the different clauses in it? I mean, it's a very, very simple thing and I think, Ms. Madoff, many, many times you said the same thing; I just want to see it. Mr. Pollock, you said the same thing; I want to see this thing. We asked for it on Wednesday. If it was already there prepared, how are they going to have it signed before this Saturday without Council seeing it? I think you have a legitimate argument.

**Mr. Ferlo:**

In relation to the legitimate point that Michelle raised about the promotion of the regional event that is going to be held here, I would see nothing wrong - they have access to the property - by holding this a week and recommitting it and getting a copy of the lease agreement. That doesn't preclude the organization and the Department of Parks and Recreation with the Mayor out there cutting a ribbon to having some type of promotional event saying this is the land, this is what we hope to do, they can have a scale there. I don't think in holding up the actual legal documents that that precludes the association and the Mayor or Director Brown from having a media event on the island. I don't see that these two things are necessarily tied together at all. I would encourage them, in fact, to have a media event and maybe they could better explain to the public exactly what they're going to do there. But I don't see that that necessarily means that we can't recommit this and actually review a copy

of the lease agreement.

**Mr. DePasquale:**

As I stated at the meeting the other day, even though the project is to placed on a non-contaminated area, I think we ought to get a report on that latest study in regards to hazardous waste on the other end of the island before we do anything on that island. At least get the report and know what the heck is going on over there.

**Michelle Madoff:**

I ahve to agree with what you've said, Mr. Woods, and what Mr. Ferlo has said. It is true; we very frequently vote in a vacuum, more times than not because nobody will support what I've been screaming about for ten years, getting information.

It's a little late in the day to say, now on this particular item, I really want to get a copy of this lease. So do I. But in all fairness, I don't think that we can trade off the national publicity that we can get for starting this rowing club and enhancing the image of Pittsburgh by saying now we're going to make an example and we won't vote. I am satisfied in the information I have had in meeting with the people from the Three Rivers Rowing Club that it's a good project, and that it will enhance the City, and I'm sure it's just a regular routine lease, and I'm going to vote for it.

**The Chair:**

There's no problem with that. All I'm stating is that when the Director called me and asked me, since it's my Committee, if I would waive Rule 8 until we had all the documents and the people here, I said fine. You asked for a simple agreement and it's not there. It's been

five days and that agreement should have been provided at that table. And if not, it should have been at hand and provided to you shortly thereafter. I see nothing wrong with that request.

**Michelle Madoff:**

I agree with you; I think you're right. But at this point, being right isn't going to help the City. And it isn't going to devastate the City if we go ahead, if you believe this is a good project, to allow us to get perhaps hundreds of thousands of dollars worth of coverage for the City to help build our City.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 4

NOES 3

(MR. COYNE, MICHELLE MADOFF  
AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

**Mr. Coyne presented**

Bill No. 1369

Report of the Committee on Engineering  
and Construction for September 14, 1988

transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1286

A Resolution entitled, "Resolution further amending Resolution No. 671, effective August 25, 1987, as amended by Resolution No. 1053, effective December 22, 1987, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for the Construction/Reconstruction of Various Retaining Structures, including but not limited to Marietta Street, Bellingham Avenue, Crotzer Street, Old Banksville Road, Tunstall Street and Dartmore Street; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$350,000.00 from \$1,153,000.00 to \$803,000.00."

Which was read.

Also,

Bill No. 1287

A Resolution entitled, "Resolution further amending Resolution No. 155, effective December 2, 1977, as amended by Resolution No. 99, effective February 28, 1980, as amended by Resolution No. 1290, effective December 11, 1980, as amended by Resolution No. 698, effective August 25, 1983, as amended by Resolution No. 764, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements or Supplemental Agreements or Agreements for Professional Services connected with the design for replacement of the Pennsylvania Avenue Bridge and Approaches; and providing for the payment of the costs thereof,' by

decreasing the total project allocation by \$5,496.19 from \$176,000.00 to \$171,003.81."

Which was read.

Also,

Bill No. 1288

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, as amended by Resolution No. 288, effective April 16, 1986, as amended by Resolution No. 671, effective August 11, 1986, as amended by Resolution No. 421, effective May 29, 1987, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants to perform professional services on various City Facilities on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$15,000.00 from \$384,301.50 to \$399,301.50."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Ferlo      | Mr. Woods   |



Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, I have two separate items; one deals with automobiles, the first part being stolen automobiles and I want to remind Council and the public that there is a public hearing tomorrow morning at 10:00 a.m. on the issue of auto theft in the City of Pittsburgh. So, if people would like to speak at that hearing, they can call the City Clerk at 255-2138, and I believe the Administration tomorrow will be represented by Chief Pampena on this issue.

The other part of the automobiles has to do with the salver contract. This is the particular activity, the company, that takes away the abandoned automobiles that are located on City streets throughout the neighborhoods and Downtown area.

The problem that I have in relation to the salver contract is that I'm very upset over a recent development and that is, quite frankly, that I believe the Mayor and the Solicitor are breaking the law. I read the law to say that Section 510 of the Home Rule Charter that every contract relating to City affairs shall be authorized by a resolution of this City Council. Now, all of a sudden, the City is being divided in half and the sister of the existing company that does the towing, Craig Towing Company, ends up with a contract who, all of a sudden, she went into business.

I don't think that's a way to deal and the other day I was accused of being a little bit vocal on the issue of people getting greased and my comments, Mr. Chairman, you thought were out of order. But when things like this go on, I become very alarmed.

If the Administration wants to divide up the City under supposedly the legitimate concern of wanting to increase the number of abandoned automobiles being taken off the street, I think that's a very good thing that we should investigate. But there is an existing contract to my knowledge with another company, Yurechko. I have no problem with Simply Salvage, which is the name of this new company, being in and partaking in the piece of the action. But it should be done by competitive bidding and I think it's very clear that the Administration does not have the legal power to just all of a sudden say to Karyn Rok in Simply Salvage, well, we're going to give you half of the City. What is this? Do they all get in a back room together and divide up the City? Is that the way we're doing business now in the future? I don't think it is. And I think it's clear that when their contracts are executed by the Administration, that the Home Rule Charter is specific. They do the thinking out and the administration and the executing of the contract, but only after this legislative body gives them the prerogative to do so, and that's by authorization and a resolution of this City Council.

To my knowledge, and I ask the City Clerk, since I've gotten here January 4th, we have not authorized a salver contract. And before it's just handed over to the sister of Craig Towing or to Yurechko or to anybody else, I think it should be clear on this body that we want to have some input. I think we should talk about the issue of

abandoned cars. I know I spent half my week, including my staff, trying to get rid of abandoned cars and I'm sure my colleagues are harassed throughout the week, legitimately, from the public who has a problem with abandoned cars littering the streets.

So, there's no problem with wanting to do things differently if we need to do them differently, and I might support it. But why divide the City in two? Why not divide the City into three or four or eight? Why not other salvers? How is it that just two salvers are getting a piece of the action? This is not the way to do business. It smacks of favoritism on the part of Mr. DiNardo from the Department of Public Safety, and, quite frankly, I don't like it and I'm not going to participate in it. If we need to rethink the contract, it should have some input and the Administration should come before City Council. And if we're going to bid anything, it should be done by competitive bidding so that the Simply Salvage has a shot at it or Mr. Yurechko or any other salver company or operation in the City.

And if the Solicitor, Mr. Pellegrini, and these parties signed the contracts that were sent out to them, I'm going to go to the Court of Common Pleas to try to enforce the Charter, for one; and two, I've already called on Mr. Flaherty, the Controller, not to countersign it and he's given me his commitment not to countersign these contracts because it's just not the way things should be done in this City.

And I would hope that my colleagues would support me on this concern. Regardless of the particulars of the issue, there's an important principle here, and that is that Council authorizes contracts by resolution, by authorization, and that did not happen in this case:

So, I would like to make a motion that we send a letter to the Mayor and to the Solicitor basically putting this on hold. The existing contract to Yurechko, they should continue picking up cars. But we should discuss this, we should review proposals, we should allow them to go out and submit an RFP or a bid, and it should be open to competitive bidding. We shouldn't just get on the phone and dole contracts out. That's not the way it should be. So, I'd like to make that in the form of a motion.

**The Chair:**

Before you do that, Mr. Ferlo, let's listen to Mr. Coyne and Ms. Madoff. Well, you can make the motion and get a second, but it's still under discussion. Is there a second?

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

Before Michelle speaks, I believe Mr. Rok was at her press conference when she announced she's running for Mayor. I don't know if that's true --

**The Chair:**

Hold it, hold it.

**Michelle Madoff:**

If you want to make this political, you little twerp --

**The Chair:**

Hold it or else I'm going to adjourn this meeting. There's going to be no more of that. I let you make the motion and it has been seconded.

**Mr. Coyne**, you have the floor.

**Mr. Ferlo:**

I just want to know if he was at your press conference.

**Michelle Madoff:**

I'll wait my turn and when I'm recognized, I'll speak.

**Mr. DePasquale:**

Did he give a contribution?

**Michelle Madoff:**

I certainly hope so.

**Mr. Ferlo:**

That's not the issue; I'm not saying that.

**The Chair:**

I'm going to tell you what, and this is the last time. I'm not going to fine anybody; I'm just going to adjourn this meeting.

**Mr. Coyne:**

Mr. Chairman, first of all, I do commend you on stopping any accusations like that from one member of Council to another. This isn't the place to do that and if you have any accusations, Councilman Ferlo, you should bring forth something in writing and, if you're going to do that, go to the press, not to use this political body to make accusations like that.

But to get to the issue, and not to cast any aspersions or accusations on the Administration or the parties involved, there is a proper procedure which must be followed. And, if I'm not mistaken, this hasn't been followed on this issue, and I would like to second the

Councilman's idea that we do get written explanation from the Administration as to why it was done in this case. Maybe there's a legitimate reason, although I can't think of one myself why we, as elected officials, should be able to be overstepped. If one has been provided, then I have not seen it and haven't read it, but I would also ask for a written explanation from the Administration.

**Michelle Madoff:**

Mr. President, I will try to refrain from losing my cool because at this point I'd like to go over and swat him.

As it happens, there is a letter. The letter was sent from Mr. Ferlo's office to Mr. Louis DiNardo. There was a response and the response went to the City Clerk. I would appreciate it if we would set the record straight. When you criticized, or maybe it was Mr. Wagner who said we will not have political assertions or slurs and talk about greasing, etc., at this table or in Council, may I point out respectfully that it is well known that Mr. Flaherty and Mr. Craig and Karyn Rok as his attorney have had a long-time feud and I don't think Mr. Ferlo had to get a guarantee from Controller Flaherty that he would not sign the contract. I am sure that Mr. Flaherty approached Mr. Ferlo. And since he opened the bag of worms, I'm just setting the record straight.

I would like for the Record if Mr. Perry would read the letter and the response because I think there's a lot of misinformation going out here. I only know what I know in the letter.

As far as the issue of whether we're going to divide the City and whether we're going to have more than one person towing cars out of the City, it may or may not be the prerogative of the Administration. I don't know that. And I

don't have a problem with requesting information to say are we going to change the procedure. And if we're going to change the procedure, should Council vote on the change of procedure. That's a legitimate question. But to tie it to anyone's living in the City trying to earn a living, and being female trying to earn a living at great odds, I think it's unfair and I would ask that Mr. Perry read the letter because there is going to be a lowest responsible bidder contract and there's a lot of misinformation that's been put on this table.

**Mr. Ferlo:**

Point of Order, Mr. Chairman. Again, I think this is the inappropriate manner in which to discuss this issue, reading a letter. This should be a debate and this should be dialogue that we have in a Committee Session. The Administration should come to the table and say, look, we have a problem in this City; we cannot get cars abandoned. There are other companies who would like to do business, who have a track record or are competent, and we want to change things. In the future, we want to divide up this City; there's this company, Simply Salvage, or these other companies. I have no problem with other people getting in on the contract.

**The Chair:**

What's your point of order?

**Mr. Ferlo:**

The point of order is that it's inappropriate to debate this point at this level now. I think it's appropriate that we send the communique to the Administration and they put a hold on actually signing any contract and we actually discuss this.

**The Chair:**

On your point of order, I'm not going to accept it. I'm going to let the letters be read because you made allegations that you tried and they're breaking this contract or just giving contracts out. Now if there's a legitimate explanation and Ms. Madoff is presenting it, I want to hear it too. Read the letters, Mr. Perry. Both of them.

**(BEGINNING - LETTERS REQUESTED BY MICHELLE MADOFF)**

September 9, 1988

Louis DiNardo, Deputy Director  
Department of Public Safety  
1600 W. Carson Street  
Pittsburgh, PA 15219

Dear Deputy Director DiNardo:

My office has received numerous complaints about abandoned automobiles around the City. There appears to be a long waiting period between the date that a request to remove an automobile is made and the date the auto is removed.

I know that the City presently has an arrangement with a salver to remove these autos. Can the City request bids from the current salver and additional salvers in order to increase our capacity to remove cars?

As you know, an abandoned car can very quickly turn a pleasant looking street into an eyesore. I am more than willing to help in any way I can to help to see that the current backlog of vehicles is removed and that the City can quickly service complaints in the future.

Thank you,  
Jim Ferlo  
cc: Director Cannon

September 12, 1988

Mr. Michael Perry  
City Clerk  
Office of the City Clerk  
510 City County Building  
Pittsburgh, PA 15219

Dear Mr. Perry:

The current salvor contract has expired and is being prepared in the City Law Department for reissuance. As in the past, the Department has recommended salvors who have adequate salvage yards, the ability to provide a timely service to the City and can meet the City's contract requirements, i.e. insurance and bonds. This contract has never been bid and, therefore, the selection process rests with the administration.

As you are well aware, Mayor Masloff has initiated a clean-up campaign for the City of Pittsburgh. A large part of this campaign is directed toward abandoned vehicles. Currently the Police Bureau has identified over 300 abandoned vehicles, processed the necessary paperwork and has these vehicles awaiting tows. We are confident that with the appropriate effort many more vehicles will be identified as abandoned. It is most important that these abandoned vehicles be removed from the City streets in a timely and efficient fashion. It is toward that end that the Department of Public Safety has asked the Law Department to prepare two contracts; one for the previous contractor, Yurechko Auto Service, 5204 West Smithfield Street, Boston, PA, and the second for Simply Salvage, 945 Baldwin Road, Pittsburgh, PA. Based on 1987 and year-to-date 1988 salvor information, we have essentially split the City in half, with each contractor receiving half of the City.

Your letter to Mayor Masloff has indicated that Councilman Ferlo expressed concern that Simply Salvage has close connections to Craig Towing Company. We are respectfully requesting from Councilman Ferlo a full explanation of his concerns for our consideration prior to the letting of any contract with Simply Salvage. We are aware of the sibling relationship between Karyn Rok of Simply Salvage and Craig Rok of Craig Towing Company. However, that is of no concern to the Department of Public Safety. Simply Salvage offers the City a female owned business, which the City tries to promote and further, a business within the City limits which this administration also tries to promote. It should also be noted that the City towing contract expires December 31, 1989. We are currently preparing the bidding process for towing service to six police zones, with the eventual award to the lowest qualified bidder.

The salvor contracts will run from approximately October 1, 1988 to December 31, 1988. During this time, the City will competitively bid the 1989 and future salvor contractors. This process is administered by the Department of General Services and the Department of Public Safety, as well as the City Controller's Office. If any Councilmember is interested, they can observe this process in its entirety.

If you have any additional comments, please feel free to contact me.

Sincerely yours,

Glenn M. Cannon  
Director

(END OF LETTERS)

**The Chair:**

I have one question. The current contract goes to when?

**Mr. Perry:**

Up until '89. "It should also be noted that the City towing contract expires December 31, 1989."

**The Chair:**

That's the current contract. Now, what I would like to suggest, before we keep going and hurt people needlessly, let's have a post agenda, I'll give you a date, we'll have it in October, we'll all be present, and we'll make sure we invite the appropriate parties, including the Controller, the Director of Public Safety, and all parties involved.

**Michelle Madoff:**

I just wanted to point out that the Administration is aware of the problem. They are trying to get women contractors involved. One cannot help who one is related to. Sometimes we love our brothers and sisters and sometimes we don't get along with them. It's irrelevant. The issue is that there's going to be a bid prepared to go out for the lowest responsible bidder for 1989 and I think your idea to get this all cleared up in a post agenda is an excellent idea, without making accusation.

**Mr. Ferlo:**

Mr. Chairman, let's be very clear. I could care less whether Karyn Rok, owner of Simply Salvage, gets a contract. I hope that she is successful in getting the contract, but that's not the issue. I find it very curious that an individual has an inside track on a contract, and that's the dispute I have,

not with the individual, not with the company. It's the process. The process should be a resolution and ordinance of this Council allowing the Administration to go out and let the bid out. That's the process. They did that before. Mr. DiNardo doesn't know his head from a hole in the ground because in 1983 there was an ordinance by Council authorizing, at that time it was Pennsylvania Salver, Inc., whoever they are.

So, what I'm talking about, very clearly, is not the individual. I hope that this individual is successful because I think it's clear that more effort is needed on getting rid of the abandoned cars. What I'm talking about is the Home Rule Charter, the process of this City, and also the manner in which contracts are let out. And I do find it curious that someone has the inside track and that an administration, in this case Mr. DiNardo, just say here, we'll give you a piece of the action. That's not the way the City should do business; it should be done competitively.

**The Chair:**

I totally agree with you. In part of that discussion, we'll be seeing why we don't go out for competitive bid as we had in 1983. We'll have Dan Pellegrini with complete discussion and the whole bit.

**Michelle Madoff:**

Mr. Perry, just for the record, I believe the letter said they are going to competitive bid and preparing it within the next two months.

I would just like to comment on what you said, Mr. Woods. I have no problem with questions that Mr. Ferlo raised. None. They're legitimate. But what I have a problem with is opening up — Wasn't she at your press conference and isn't he inside with Mr. Flaherty and

I got Mr. Flaherty's promise that he won't sign, when Flaherty came to him and asked him not to sign.

**Mr. Ferlo:**

No, that's not true.

**The Chair:**

Alright, end of subject. We had a motion on the floor and it was seconded, whether to send this letter or not to send this letter. But we're going to have a post agenda, so do you want to withdraw your motion, Mr. Ferlo? I guarantee we'll have a post agenda.

**Mr. Ferlo:**

I just want to make it clear that these contracts not get signed because, one, I'll go to court and, two, it's not going to be countersigned by the Controller.

**The Chair:**

On your motion about sending this letter to the Administration --

**Mr. Ferlo:**

There's no need to send a letter if we're in agreement that you're going to set the post agenda and I hope that the Administration, including my little friend Mr. Pellegrini, is listening to this discussion.

**The Chair:**

Alright.

**Mr. Pollock:**

Last week I received several communications from an individual; the communications were signed by John Leahy, Chief of the Bureau of Fire. I

find it curious because they came in after Chief Leahy's effective date of resignation. Obviously, once one looked at the communications, they were quite extensive, it was obvious that they were probably in the pipeline of communication for quite some time. It got me to thinking about the irony of the fact that work that Chief Leahy had worked on was still being communicated to members of Council and other people in the City employ, even after he was gone.

It causes me to bring up a subject today because I think this Council and the people of Pittsburgh really owe Chief Leahy a debt of gratitude and of thanks. One can question many things about many people about what they do and what they don't do, but Chief Leahy, say whatever one wants, was an individual who devoted an incredible amount of time to his job as the Chief of the Bureau of Fire. It was not at all uncommon for him to put in 16 hour days, 7 days a week. His motives were truly the finest for improving the Bureau of Fire, for bringing the personnel into the 1990's, to work toward the better education, better staffing, better training, better preparation, better equipping of the Bureau of Fire. I think we would be remiss if we didn't acknowledge his resignation after the time that he served here.

In addition to that, I personally would also like to thank Kevin Mellott for the work that he did. Again, certainly, Kevin could be considered controversial, colorful. Some of his acts could be questioned, no doubt about it; I'll stipulate to that. But, again, no one can question what his motives were, that he was trying to do the job as he saw it, that he worked tirelessly for the City of Pittsburgh.

I think both of these individuals

should be thanked, at least by me; if anyone else wants to join me in these thanks, that is fine. But I would like to publicly thank them both and I wish that we had more public servants for the City of Pittsburgh who put in the time, the dedication and the effort to their jobs that these individuals did.

I also want to wish Chief Dickinson the best of luck in his new position as Fire Chief. It is certainly one of the toughest jobs in the City and I wish him good luck in this job.

**Mr. Ferlo:**

On another subject. In relation to Thursday afternoon's public hearing on Mr. Pollock's human rights ordinance, I wanted to raise one suggestion for your response. I believe there are about 50 or 60 people lined up to speak so far. Something that the School Board has recently enacted because of the non-residential controversy that people who don't live in the City who have a lot to say about the School Board's wellness clinics. I would like to ask the Chairman of this Council to consider, if nothing else, allowing City residents, be they against or for the resolution, being allowed to speak first and let the suburbanites, be they for or against, wait their turn, for one.

Two, I would even go so far to suggest that if they don't live in the City, I would prefer that they not even be allowed to speak because, by way of example, this is something that the School Board has initiated. If people don't live in the City and pay taxes and have something to contribute, why should they take up our time.

It is the case, often times, where corporate leaders, and this is really why the practice began in the first place, often times you have corporate leaders

who will address Council on an issue and I think the past has been that the Council has been gracious in allowing non-residents to speak because often times you'd have like a Jacques Kahn or association.

I don't have a problem necessarily with non-City residents speaking, but I think people who are City residents, be they for the resolution or against it, should be afforded the opportunity to speak first, for one; and two, I would think that we ask that there be a two or three minute time limit for speakers so that we can at least have everybody hear people out without Councilmembers getting up and leaving and having other obligations, so that everybody could be heard. I wanted to know your response to that.

**The Chair:**

My response to the three minute time limit, I already discussed that with Mr. Perry and I think we're going to enforce it very strongly.

It's kind of late in the game, we're only a couple days away, to tell the non-City residents that they can't speak or that someone goes first. We have always taken it on the first person that called and that's the order that we do it. But, it's a good thing, something to think about, for us to think about in the future. And maybe we could extend it a little bit; if these reporters don't live in the City, they shouldn't be able to write about us. We should throw them all the hell out of there too. But it probably won't go that far.

**Mr. Ferlo:**

Why not charge them a user fee?



**Mr. Coyne:**

Mr. Chairman, I concur with Councilman Ferlo that City residents be given the priority to speak. I don't go for the exclusion because we're the first ones to yell about them coming in and using our services and wanting them to contribute to our taxes. So, on the same hand, I think we should grant them the opportunity to come and speak. But if City residents are signed up, I think they should have first priority.

**The Chair:**

As I stated, it's just too late in the game to do it now. Next time, we can do it, we can advertise that City residents will be permitted to speak first. But the way it was advertised now, I see no way that we can do it.

**Michelle Madoff:**

Mr. Woods, I agree that there is some validity in what has been stated by my colleagues, and the fact that, frankly, there are 120 speakers and I have at 11:30 an urgent meeting and I have Council that morning because we changed Wednesday to Thursday out of respect for my religion and I thank you. We'll be here until midnight and, frankly, I have an evening meeting. I would like to hear from those who are most affected in the sense that it is City jobs they're talking about. But I also would not discriminate against any group that speaks on behalf of anybody that's in the City, for example, the Catholic Church or any minister or speak for their flock or any businesses who speak pro or, I hope, against discrimination. But I think that there are many people who have been organized to come in from the suburbs who are very vocal, pro or con, who should not be heard first. And because of the time frame, it is not inappropriate because you have all the

power to go ahead and say there are 120 speakers and those who have a direct correlation to the City would speak first. That doesn't mean we would say that somebody who is a priest or a minister or whatever who lives outside the City but speaks for his flock in the City wouldn't speak. We're talking about the people that are calling our phones so we can't use our offices, we can't function, we can't service the public, and those who don't live in the City would not be the first ones heard. That's all.

**Mr. Wagner:**

Mr. President and members of Council, I would totally be opposed to us identifying City residents as those that speak or those that speak first or those that speak a longer period of time than non-City residents on any issue. The City of Pittsburgh is not an island; if anything, we should be broadening our borders rather than building walls around our borders. When we were rated the most liveable City in America, it was not just the boundaries of the City of Pittsburgh; it was the entire metropolitan area. We have 200,000 people that come into the City to work every day. We want them to come to our City to work every day, I want them to come to this Council. I want them to tell me what they think about the City of Pittsburgh on any issue.

I also care very much about the residents of the City of Pittsburgh, but I would even suggest to the School Board, if they identify only City residents, that they should include people other than City residents. We can learn from people other than City residents.

And I would be very much opposed to us changing the rules, as you have indicated, during the game for public hearings. Public hearings are for the public. We have never said that they are

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for the public which is just the City of Pittsburgh. Therefore, I would hope that public hearings, all public hearings, would go on in the future as they have in the past.

**Mr. Ferlo:**

Mr. Chairman, I make a motion that City residents, be they pro or con, speak first at the public hearing on Thursday.

**Mr. Coyne** seconded the motion.

**The Chair:**

I won't honor that motion. I set hearings, I set dates, and I set procedures of public hearings. Your motion is out of order.

**Mr. Ferlo:**

Mr. Chairman, the motion is not out of order.

**The Chair:**

It is out of order.

**Michelle Madoff** moved to excuse Mr. Lyons for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, September 26, 1988

No. 37

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, September 26, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

#### ABSENT:

Mr. Lyons  
Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Michelle Madoff:

Rose Palmer-Phelps, Judge Cashman and Hillary Spatz, I wonder if you would come forward please.

##### Michelle Madoff presents

No. 1406 WHEREAS, thousands of children in Allegheny County are dependent on child support; and,

WHEREAS, the number of children in Allegheny County under the age of 18 is over 52,000 of the County's population who are living in families without fathers; and,

WHEREAS, over 80% of claims for Aid for Families with Dependent Children are a direct result of non-payment of child support; and,

WHEREAS, failure and refusal to pay child support causes thousands of children untold suffering; and,

WHEREAS, as in Allegheny County, there are 683,955 cases reviewed on the issue of child support for the year 1987 with a total collection of \$58,129,386 for this same year; and,

WHEREAS, SUPPORT served over 4,000 clients for 1987 on the issue of child support and custody to clients unable to afford private legal counsel;

NOW, THEREFORE, BE IT RESOLVED, that the members of the

Council of the City of Pittsburgh hereby recognize the week of September 26th as "Child Support Awareness Week", because of the urgent needs of thousands of children dependent on child support, and hereby commend SUPPORT, Pittsburgh's nationally recognized advocacy organization for their continued work in this area; and,

BE IT FURTHER RESOLVED, that Council commends the Allegheny County Family Division for the work they have done in the collection of child support and the award they received from the Federal Government for their outstanding performance.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I know that everybody that needs help in supporting their children because the fathers have just decided they're not going to pick up the responsibility. I know that this Council as a body has contributed in one of the ways that we have been able to, and I guess you'll be back at budget time again, and you have my support on record.

And, I would hope the people who are listening today who are out in the community understand that fathers or mothers who can support the children who refuse to do so, have to be brought to task and made to pick up the responsibility, and I know that I speak for all members of Council when I say that this is a must - the burden of children who are not receiving adequate care, clothing, food, emotional support, because of society, and I will get copies of this resolution for the three members

and perhaps you'd like to say something.

Ms. Palmer-Phelps:

Thank you, Michelle, members of City Council, we appreciate all the efforts that you have given us throughout the last four years in order to make us be able to provide for the people who aren't able to have legal assistance with them when going through the issues of child support and custody, and we find out its just not a male, female issue. It's a custodial, non-custodial issue, and its a problem of the children being abused by their parents by non-financial support, and we will continue to fight and make every effort that every child receives the support that they are supposed to, and thank you very much.

Judge Cashman:

On behalf of the court system, I'd like to thank the members of Council for this resolution for it recognizes the courts goal and that is gender blindness. We don't believe that its an issue that involves parents, it involves children and it is the protection of these children that we try to look out for, and as noted in this proclamation over \$58 million was collected last year. We will continue with those efforts and we thank you for the recognition of those efforts.

The Chair:

Thank you all very much.

Mr. Coyne presented

No. 1374 Resolution further amending Resolution No. 350, effective April 27, 1987, as amended by Resolution No. 568, effective July 20, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for construction in connection with the Replacment of Roofing Systems at

Various City Facilities; and providing for the payment of the cost thereof," by increasing the total project allocation by \$25,000.00 from \$60,000.00 to \$625,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 1375 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$65,315.39 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way, payable from Code Account EC 87-12.

Which was read and referred to the Committee on Finance.

Also,

No. 1376 Resolution further amending Resolution No. 1094, effective January 1, 1988 as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by creating two (2) new line items (EC 88-76 and EC 88-77) and by adjusting the Summary Totals.

Also,

No. 1377 Resolution amending Resolution No. 144, effective March 4, 1987, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Architectural Services on Various City Facilities on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$10,000.00 from \$50,000.00 to \$60,000.00, chargeable to and payable from Code Account EC 87-16 - \$50,000.00 and Code Account CDEC 87-24 - \$10,000.00.

Also,

No. 1378 Resolution amending Resolution No. 145, effective March 4, 1987, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Services on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$24,500.00 from \$20,000.00 to \$44,500.00, chargeable to and payable from Code Account EC 87-16 - \$20,000.00 and Code Account CDEC 87-27 - \$24,500.00.

Also,

No. 1379 Resolution providing for a Contract or Contracts, or use of existing Contracts for Renovations to the Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field at a cost not to exceed \$1,130,500.00.

Also,

No. 1380 Resolution providing for a Contract or Contracts, or use of

existing Contracts for Swimming Pool Renovations, including but not limited to Banksville, St. Clair, Fowler, Northgate and Riverview at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC 88-36 - \$30,000.00 and Code Account CDEC 88-36 \$370,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1381 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for John Yorio, Mary Fleming, James Russell and Henry Hegerle to attend the 14th Annual Pennsylvania Building Officials Educational Conference, Valley Forge, Pennsylvania, October 26-28, 1988, at a cost not to exceed \$1,100.00, payable from Code Account 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety. The purpose of the meeting is for a variety of inspectors throughout the State of Pennsylvania to get together in classes and sharpen their knowledge of various construction problems of the times.

Also,

No. 1382 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Mark Martorano to attend a CAD Consortium meeting, in Topeka, Kansas, October 5-9, 1988, at a cost not to exceed \$650.00, payable from the PSTA Code Account. (PRIOR APPROVAL GRANTED)

Also,

No. 1383 Communication from Glenn Cannon, Director, Department of

Public Safety, amending Council Bill No. 356 to extend the time from May 21, 1988 to May 27, 1988, to permit Detectives Philip Dacey and Linda Rosato to complete an internship program.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1384 Resolution further amending Resolution No. 737, effective August 21, 1984, as amended by Resolution No. 295, effective March 29, 1985, entitled: "Taking, appropriating and condemning, by the City of Pittsburgh, for Highway purposes, certain property in the 25th Ward of the City of Pittsburgh," by increasing the amount of the warrant by \$20,708.23 from \$10,000.00 to \$30,708.23.

Which was read and referred to the Committee on Public Works.

**Mr. Ferlo** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1385 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Barry McMeekin to attend the Executive Committee Meeting of the National Animal Control Association, in Toronto, Canada, October 13-15, 1988, at a cost not to exceed \$550.00, payable from Code Account ACAW. The meeting will focus on the

concerns of animal care and control.

Which was read and referred to the Committee on Public Works.

**Mr. Ferlo for Mr. Lyons presented**

No. 1386 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for Sidney Kaikai to attend the Urban Land Institute professional development seminar: "Managing Transportation, Taking an Active Role in Transportation Solutions," in Baltimore, Maryland, October 12-14, 1988, at a cost not to exceed \$772.00, payable from CDPA-1986.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1387 Resolution providing for the issuance of a warrant in favor of Fluid Conservation Systems Corporation, 8834 Capital of Texas Highway N., Suite 220, Austin, Texas 78759, in the amount of \$3,500.00 in payment for a five-day training seminar, chargeable to and payable from Code Account No. 1922, Miscellaneous Services, Department of Water.

Also,

No. 1388 Resolution providing for the issuance of a warrant in favor of Allegheny County Sanitary Authority, 3300 Preble Avenue, Pittsburgh, PA 15233 in the amount of \$5,400.00 in payment for a permit fee furnished for the benefit of the City in connection with discharge of residue at the Water Treatment Plant, chargeable to and payable from Code Account 1972, Miscellaneous Services, Purification and Pumping Division, Department of Water.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1389 Resolution providing for an Agreement or Agreements with a qualified third party administrator for the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of three years beginning January 1, 1989 thru December 31, 1991, at a total cost not to exceed \$45,000.00, chargeable to and payable from Code Account No. 44-1, Unemployment Compensation Fund.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1390 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1391 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara King, Terry Woodcock, Stephen Cohen and Beth O'Toole to attend the Hard Corps Challenge Orientation Camp for the Philadelphia Urban Youth Corps

and the work site of the Philadelphia Urban Corps, September 27-30, 1988, at a cost not to exceed \$1,085.00, payable from the JTPA-1 Trust Fund. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 1392 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara King to make an oral presentation for the Urban Youth Corps Plan in Harrisburg, Pennsylvania, October 18, 1988, at a cost not to exceed \$331.00, payable from the JTPA-1 Trust Fund.

Also,

No. 1393 Communication from George Specter, Deputy City Solicitor, Department of Law, requesting authorization for Dante Pellegrini to attend the National Institute of Municipal Law Officers' annual conference in Charleston, South Carolina, October 28-November 2, 1988, at a cost not to exceed \$1,498.87, payable from Code Account No. 1075, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1394 Resolution authorizing the transfer of the aggregate amount of \$493,000.00 from the 1988 CDBG Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, to the General Fund of the City of Pittsburgh for reimbursement of salaries and wages paid to employees in support of the City's Community Development Block Grant Program.

Which was read and referred to the Committee on Finance.

Also,

No. 1395 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of \$10,000.00 or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1396 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for furnishing and installing picnic shelters for the Department of Parks and Recreation, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account PR85-04 - \$10,000.00 and Code Account PR86-07 - \$20,000.00, Erect Non-Permit Pre-Fab Picnic Shelters, Department of Parks and Recreation.

Also,

No. 1397 Resolution Repealing Resolution No. 956, effective December 11, 1987, which reads: "Providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs in CD areas for the Department of Parks and Recreation at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account PR86-05; Concrete Repairs, Department of Parks and Recreation.

Which were read and referred to the Committee on General Services.



Also,

No. 1398 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Dr. Robert Wagner, VMD, to attend the Fifth World Conference on Breeding Endangered Species in Captivity, in Cincinnati, Ohio, October 9-12, 1988, at a cost not to exceed \$278.25, payable from Code Account No. 1852, Miscellaneous Services.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1399 Communication from Thomas Flaherty, City Controller, submitting a report of Net Debt & Remaining Debt Incurring Margin in accordance with Act No. 52, approved April 28, 1978, "Local Government Unit Debt Act", prepared as of August 31, 1988.

Also,

No. 1400 Communication from Thomas Flaherty, City Controller, submitting a performance audit of the City's Purchasing System, including an examination of procedures for procuring services and commodities and an assessment of the City's decentralized invoice payment system, dated September 19, 1988.

Which were read, received and filed.

**Mr. Ferlo:**

Point of discussion. Mr. Chairman in relation to the performance audit report that has been supplied by the Controller, I read a couple of newspaper articles, I know he had a press conference, but I do think its appropriate

for City Council providing some checks and balances to ask that all the parties come forward possibly a month, or five or six weeks to hear from the Administration on the issues that Mr. Flaherty raised in his performance audits, specifically on the issue of centralized purchasing. And, I think its very fear and appropriate for this body to hear how the Administration plans to respond to some of the audit recommendations. I believe if the papers are accurate that the Director, Ms. Botsford indicated support for many of the recommendations, but I do think its appropriate for us to entertain and hear from those two groups on that discussion. I would suggest that there be — because as far as I'm concerned it has a lot to do with the annual budget debate on staffing positions, specifically on a lot of clerical positions in various departments in relation to purchasing. So, I would like to see that take place in for form of a post agenda in the next five or six weeks.

**The Chair:**

Mike, set that up in six weeks.

**Mr. Ferlo:**

Thank you.

#### REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1401

Report of the Committee on Finance for September 22, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1335

A Resolution entitled, "Resolution transferring the sum of Twenty-Five Thousand Dollars (\$25,000.00) from Code Account 1042, Index Code 104208, Salaries, Department of the Mayor, City Information Systems to Code Account 1042-1, Index Code 104216, Premium Pay, Department of the Mayor, City Information Systems."

Which was read.

Also,

Bill No. 1336

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Title III Dislocated Workers Program and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo for Mr. Lyons presented**

Bill No. 1402

Report of the Committee on Planning, Housing and Development for September 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1331

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" program (HA-88-01) at a cost not to exceed \$1,620,000.00."

Which was read.

**Mr. Ferlo** moved to recommit Bill No. 1331.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Excuse me, Mr. President, I'd like some information. The reason I'm supporting the recommittal is I need a breakdown of the cost. How much is it for legal counsel? How is the breakdown? It doesn't say anything here. We're talking about big dollars without a breakdown.

**The Chair:**

All right, we'll get that.

**Michelle Madoff:**

I also do not know who the legal counsel is for any Authority, and I'd like to know who they are? Somebody's approved this. I'd like to know who the legal counsel is for — what is it —

**The Chair:**

We'll have that for you Wednesday.

**Michelle Madoff:**

I'd like it for all Authority's too, Mike.

**The Chair:**

All right.

**Mr. Woods presented**

Bill No. 1403

Report of the Committee on Parks and Recreation for September 22, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1337

A Resolution entitled, "Resolution authorizing a lease with the Three Rivers Rowing Association of real property on Washington's Landing to be used as a rowing center."

Which was read.

Also,

Bill No. 1338

A Resolution entitled, "Resolution

authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh to provide for the conveyance of real property to the City for lease as a rowing center."

Which was read.

**Mr. Ferlo:**

Mr. President, motion to amend Council Bill 1337 and 1338, by including: "Authorization for a ten year renewal option in the lease with the Three Rivers Rowing Association."

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President, that motions illegal at a legislative meeting.

**The Chair:**

No, it was in writing, everybody has it. It's in front of you somewhere, Jack.

**Mr. Wagner:**

For some reason I didn't get it, but I'll support it.

**Mr. Ferlo:**

This was from the Administration. I was led to believe that everyone has it.

**The Chair:**

Everyone should have it.

**Mr. Ferlo:**

Mr. Chairman, in relation to the motion —

**The Chair:**

Let me just do this once. The motion passes for the amendment. Now, Mr. Ferlo.

**Mr. Ferlo** moved to recommit Bill No. 1337 and Bill No. 1338.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

Discussion. May I respectfully ask why are we submitting it, I'd like to know?

**Mr. Ferlo:**

I think there are a number of additional concerns that have come up regarding the actual construction activities on the island. Specifically, one concern I have is that Mistick & Company may be one of the individuals doing the work and I'd like to discuss this further with the Administration.

**Michelle Madoff:**

I'll support it.

WHICH MOTION PREVAILED.

**Mr. DePasquale presented**

Bill No. 1404

Report of the Committee on Public Safety for September 22, 1988 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 457

An Ordinance entitled, "An Ordinance amending Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, by increasing the fee of certain devices, by establishing a license fee for devices which accept paper currency, by providing for additional information from owners of devices, and by providing additional criteria for revocation and confiscation." (AS AMENDED IN COMMITTEE) —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo** moved to recommit Bill 457 on the video poker machining.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, my understanding the reason the bill is — perhaps I'm incorrect —

**The Chair:**

We're not discussing that now, it's recommitted. Do you have any discussion on the other bill?

**Michelle Madoff:**

I'm not talking about the bill. I'm talking about recommitment in general. We have a shortage on —

**The Chair:**

Well then this isn't the time to bring it up, you can bring it up at the end the meeting.

**Michelle Madoff:**

Fine.

Also, with an AFFIRMATIVE  
RECOMMENDATION,

Bill No. 565

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title 10 - Building, Chapter 1007, Section 513, et. seq. - Special Historic Buildings and Districts, by providing for added protection during the designation process." (AS AMENDED IN COMMITTEE) —(SPONSORED BY MR. POLLOCK)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 1405

Report of the Committee on Engineering

and Construction for September 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1329

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for Playground and Court Renovation including Blair and Rhododendron; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Ferlo:**

Mr. Chairman, very briefly on two points, last week we agreed that yourself, Mr. President would convene a

post agenda on the issue of the salver contract and I would hope that you could continue to do that. I want to make it clear based on some misinformation in a Post Gazette article on the issue of the salver contract. There is an existing Council resolution of 1983, so clearly Council has the prerogative in terms of issuing the resolution for a salver and this is part of the bone of contention I have with the Administration

Secondly, I've been led to believe and I've seen an actual copy of an existing contract with the particular company who presently has the contract, and that contract reads that it is in effect until the middle of November.

And, thirdly just to clarify the misinformation in the Post Gazette also on the part Mr. DiNardo, who has suggested that I wanted to use my political influence with the Controller to support the existing vendor, I want to make it clear on my agenda, and I've made it clear to the Administration already that we should be doing this in-house and not even have an external contract. I think we can even make money in the scrap metals so let's clear up that misinformation from the Post Gazette.

On that issue I would please ask the Chairman to hold a post agenda soon, and secondly on a related point, actually it's not related, but I want to get it out while other Council members can speak. I've been led to believe that there have been a number of cutbacks in the Department of Environmental Services. Specifically, people -- the refuse workers and the number of the crews. In fact, if my information is correct there will be two crews cutback in each one of the four divisions. I believe there's supposed to be a three person crew so that would be a cutback of 24 workers in that department.

Now everytime I've tried to cut back travel and other things throughout the year my colleagues as well as the Administration has said, we're in the middle of the budget, it's in the middle of the Administration and the budget, you don't have this prerogative to make these radical changes. Well I think the same would hold true for the Administration. I'd like to know, is this justified? Why all of a sudden at a time when I believe they're supposed to be negotiating a union contract, now all of a sudden they want to cut back 24 of the workers. Is it harassment and is it a negotiating tactic? Do we actually need to have less people out there and less crews servicing our neighborhoods? I don't know. I'm sure the Administration has a creative answer and I think we should ask by way of a formal letter to the Administration, what is the justification for eliminating these jobs in the middle of the year? Why is it necessary? Is there going to be a cutback in services to neighborhood refuse collection, and about 50 other questions.

I think it's appropriate and I'd like to make a motion to send a letter to the Mayor and/or Director of Environmental Services asking the rationale and the justification for the cutbacks. I assume in the last budget debate which I wasn't here for that Council was given justification as to why all those jobs were needed, and now, why and how all of sudden nine months into the year they're not needed, and they're laying off 24 workers. I think its very fear for us to provide some checks and balances and ask those questions.

So, I'd like to make a motion to have the President send a letter to the Director of Environmental Services and/or her honor the Mayor and ask for the justification of this cutback.

Mr. Coyne seconded the motion.

**The Chair:**

I have no problem doing that but I think one thing we should all keep in mind here is that they are covered by a bargaining agreement and I don't see how anybody can cut jobs unless they go through the bargaining agreement, and I don't know — I know we can't sit down and debate the issue with them, because they are covered by a bargaining agreement. No matter if they're still negotiating it and the present one if they were working under expired a year ago, they'll still be covered by the old agreement, and it states how many jobs, how many people per crew, it states in that agreement, and this Administration as well as any other company must abide by that agreement until a new one is reached.

I'll be more than happy to sign the letter, but I think that the union members themselves should get a hold of their Business Representative to come down and get the thing straightened out, and that's how its done.

**Mr. Ferlo:**

Just to clarify it, I don't want to involve myself in the union fight. The union obviously needs to fen for themselves as it relates to the contract, but there may indeed not even be a signed contract, that's one of the problems. But, secondly from our point of view this last Council before I arrived January 4th budgeted a number of positions, you didn't just make up that number. I assume the Administration came to Councilwoman Madoff, and Mr. Wagner, yourself —

**Michelle Madoff:**

You've got to be kidding, they never come to anybody.

**Mr. Ferlo:**

— Members and said we need this amount, we need this compliment of refuse workers in the budget, and that's why the Council in their wisdom granted them those positions.

**The Chair:**

I understand what you're saying.

**Mr. Ferlo:**

Why all of a sudden — it leaves me to suspect at a time when they're supposed to negotiate a contract.

**The Chair:**

What I'm trying to say here is that the Administration cannot cut that kind of a position.

**Mr. Ferlo:**

They've already done it, Mr. Chairman. I believe four people have been laid off —

**The Chair:**

Then I suggest and I'm not their union leader — if they get a hold of their union representative and come down and get the Administration and make sure they put them people back to work, because I know what that union agreement says, and it says, how many crews they will have out in the street, and how many members per that crew, and eventhough their agreement may have expired last year or the year before they're still living under that old agreement.

**Mr. Ferlo:**

But we want the letter sent.

**Mr. DePasquale:**

Point of order, Mr. Chairman. How many people are we talking about and what reason has Environmental Services given for --

**Mr. Ferlo:**

My understanding is, there's 24 people, it's two crews in each one of the four divisions, that's a three person crew so that would be 24 positions that are going to be laid off in the next month and a half. I believe four or five positions already have been laid off.

Now, I don't if this actually is translated into people as opposed to positions that were vacant and not filled, so I don't know if it actually means warm bodies, but the point is none the less that there's cutbacks.

**The Chair:**

Oh, I thought you were talking about they were going from three to two.

**Mr. DePasquale:**

If we're talking about bodies, what's their justification, find that out?

**The Chair:**

All right. We'll send a letter.

**Mr. Ferlo:**

So, you will send a letter then, Mr. Chairman?

**The Chair:**

Monday.

**WHICH MOTION PREVAILED.**

**Michelle Madoff:**

On the same subject. It occurs to me that all members of Council and I've been here over ten years get these kind of calls saying that supposedly something is happening and it's our position to find out what's happening or to pass it on to the appropriate sources to find out. In this case we don't know whether it's true, we don't know whether the people are really being laid off, but the real issue here is -- that's not the issue. The issue is that we have a budget and you're right on the button Mr. Ferlo that we have to address and we don't even get the budget I believe until right after the Presidential election in November, and we've got to have it signed by New Years Eve, which gives us no more than a month and a half, really.

I have been saying since I've been here, maybe after the first or second year I was here that we ought to be discussing budget items about April or May, and the Administration should sit down with Council and say here are the problems, and Council who knows better than anyone else from their own respective areas in going out all over the City, what the problems are, ought to relate them to the Administration, and we ought to sit down and decide how we can best serve the public by the most cost effective manner.

But, this has been an adversarial kind of Administration. I don't mean this one in particular it's always been that. It's a strong Mayor system and a weak Council system. People are always accusing this Council of not doing something which we have no authority. We just don't have six votes, which leads me into my next subject. But, I agree Mr. Ferlo, but I don't think the way to handle it is -- let's send a letter because



the obvious response is going to be it's none of your business. You're only the Council, you're only elected, I mean this is a union matter, it's in arbitration, it's basically under legal negotiations, and you have no say so, and we're not going to tell you.

But, I think it's more important that early in the year on any subject that's going to effect the people that live in the City that we be informed and we share our views. For example if what you say is true I am more concerned for another reason. We've had the hottest summer on record. People sitting with their garbage out not picked up on holidays is unconscionable. The trade off in health problems and potential health problems is unbelievable having that garbage sit there for two weeks.

People are paying more for taxes or perceive that they're paying more for taxes in the City because of the four percent wage tax, and the way they should at least get is police, fire, paramedic and the refuse picked up, and when they're saying well we're not going to pick it up for a holiday, I think that's wrong, and in light of what is happening with our weather problems and so on. The issue then gets to, why don't we discuss these things early in the year once a month have in informal meeting with the Administration, and I think whoever gets to be the next Mayor must look at doing that and that's where something will happen that's productive for the City.

Into the next subject. I'm a little distressed. I have felt that there was no urgencing to find another member for Council. That Sophie, acting Mayor Sophie Masloff was retaining her seat so that if she wanted to come back the seat was available for her, and that we should deny her that, but now we have a problem today where almost — I think

eight, tenths of all the bills were recommitted, basically because there was not enough people to assure that five votes would be there or six votes in case there was a veto, everything was recommitted.

We have a situation where I've just learned today that my colleague Mark Pollock has embraced the Orthodox religion and today is a Jewish holiday that I don't observe because I'm a reform Jew and I certainly do not question his right to do that I admire his beliefs. But that does present a problem because I understand he will not be here today nor next Monday; is that right Mr. Ferlo? You told me there are two days.

**Mr. Ferlo:**

I believe so.

**Michelle Madoff:**

The Succos and I don't know the next holiday, which does present a little problem in the sense that Mr. Lvons as we know is ill, Sophie's not fish or fowl, she's a Mayor and Council member, and so we have a vacancy of three members on Council out of nine that gives us a sum of six, and would you need six for a sufficient number to override vetoes, and certainly five to pass any legislation, and that's something that we're going to have to think about or this is going to be a lame duck Council until next January of 1990, not next January, January of 1990.

**Mr. Depasquale:**

Point of order, Mr. Chairman. I don't get the line of questioning. She's talking about members that aren't or weren't be here, and what does that have to do with the future. We don't know who's going to be here or who's not going to be here.

**The Chair:**

Well, I'm just stating a fact that may be we should re-look and get a special election going or something like that. That's the way I understand it.

**Michelle Madoff:**

Thank you. I don't know the answer, I'm just stating a question — the problem:

**Mr. Wagner:**

On a couple of issues I'd like to refer to my colleagues comments. First of all I tried to address that issue with two referendum questions and you voted against both of them.

**Michelle Madoff:**

Sometimes we're wrong.

**Mr. Wagner:**

And, the issues specifically dealt with a person holding two offices Mayor and Council and filling the vacancy of the Council seat. Unfortunately, you voted against them. The one is still pending though I tabled it indefinitely, and I think your comments indicate that when I bring it off the table you'll support it and I appreciate that very much.

**Michelle Madoff:**

Excuse me, may I just comment? Anybody's that got their mind locked in a closed position doesn't ever serve the public — when new information comes you change.

**Mr. Wagner:**

Well, I appreciate your support on the issue. The other item I'm referring

to is the comment about four percent wage tax and maybe it's just that I continue to hear it so often, and the more I hear it the more it concerns me, and the more I'm required to publicly comment on it. Particularly, because I'm the Finance Chairman now. The City of Pittsburgh does not have a four percent wage tax.

**Michelle Madoff:**

I said perceived. I used the word perceived.

**Mr. Wagner:**

Let me repeat that. The City of Pittsburgh does not have a four percent wage tax. The City of Pittsburgh has a 2.125 percent wage tax. Approximately 2.1 percent. The School Board a totally independent governmental body has 1.9 percent wage tax. In order for that wage tax to be addressed it has to be addressed by two governmental bodies. The City of Pittsburgh being one and the School Board being the other.

There's been a lot of discussion and I hope somehow, someday all of us collectively the Mayor, everyone within this Administration can convince the public that we are only half of that wage tax, and I hope somehow, someday the public will begin to put the pressure on the School Board as they put it on City government. The City of Pittsburgh is not that bad. It's only 2.125 percent.

I'd like to move onto a couple of other items very quickly.

**Michelle Madoff:**

Can I make a quick comment on that?

**Mr. Wagner:**

Mr. President, I'd like to retain the floor and then relinquish it. A couple other items is I participated yesterday in the 12th Annual Great Race and I simply want to commend the Administration for doing an excellent job in planning, orchestrating, and administering the race. I believe there were about 13,000 people in the race, and they really did do a great job and it really was a great race.

But, I'd like to request from the various departments involved what the cost of administering that race were. I suspect primarily the departments that I'm requesting that information are Parks and Recreation, Public Works, Public Safety, and any other departments that would have anything to do with the total planning, implementing, managing of that race.

The reason why I want to know that is that we have taken a close look at the cost of other events such as the Regatta that's managed by the Regatta Committee, the Arts Festival that's managed by a separate committee, and we know what the costs of those events are but we don't know truly what its costing taxpayers to put these events on. In order for us to properly plan for next years budget I think we need to know what the real cost of all of these events are.

There was a charge for the Great Race a \$10.00 fee, a late fee of \$15.00 to enter. I'd like to know if our charge is taking care of our cost, basically and so I'd like a breakdown from those various departments of what the costs were and what kind of dollars were brought in from those participating in the race, and those sponsors involved in the race. Various media sponsors, and private companies were involved and obviously

we couldn't put the race on without them. I think this Council particularly prior to budget time needs to know the real cost of the race. So, I would appreciate it if the City Clerk could put together a letter to those appropriate departments along those lines.

My last item is I'd like to request through the City Clerk that a post agenda be set up this coming Wednesday at 1:30 in the afternoon pertaining to the construction and location of the Buhl Science Center. This Council has voted on various pieces of legislation going back now almost two years about what is considered to be a very important economic development project. Still as of this day nothing has happened with that project. I understand its in the hands of a mediator in the courts and I think its very important that this Council know what's going on. I'd like to request the following people to be present at that meeting, Mr. Robert Wilburn, who is the Executive Director of The Carnegie; Mr. Josh Wetzel, who is the Executive Director of the Buhl; Carl Barger the President of the Pittsburgh Pirates, Mr. Dan Rooney the President of the Pittsburgh Steelers; Mr. Jack Stabile and/or Merle Stabile the owners and operators of Alcoe Parking; Mr. Paul McDermott, Director of Engineering in charge of the relocation of the roads, and our Director of Planning, Mr. Bob Lurcott. Thank you very much.

**Michelle Madoff:**

May I add to your list? May we please have the architect who designed the project be here, because it is my belief and I support your post agenda that if is on flat land, move to flat land. We need the architect to say whether that is possible or not because there's going to be some question on that. We need to know what the realities are on that particular item.

On the four percent wage tax as we skip around from subject to subject and everybody keeps the floor, and we don't stay on one subject. I said that it is the perception of four percent wage tax whether it breaks down to school tax, or wage tax is irrelevant, because people are telling realtors that they don't want to live in the City. Realtors are saying you don't want to move in the City because there's a four percent wage tax. People who have children or don't have children are going to pay four percent whether its for school or the City wage tax.

People call me every week and tell me they're moving out because they can't get people to either rent or move in, because of the add on the rent or the cost of purchasing of the four percent wage tax. We got 700,000 people, 358,000 at the next census, approximately, and you can just drive around the City and what do you see, vacant houses everywhere. It is frightening. I know about several buildings in the downtown area I don't really choose to go into the names of where they are that are having some real serious rental problems, and I'm talking about residential homes, first class buildings. It is a problem we're going to have to deal with and deal with very quickly.

One of the things I would like to see happen and I'd like my colleagues to think about. I was going to do this in a formal press release, but I will do it right now. I would like to see my colleagues collectively send an invitation to our Legislators in Harrisburg inviting them here and take them on a tour of what is happening in our City. How we're picking up the bills for all these tax exempt entities that are used by non-City residents, and they were preferably willing to do that with tax reform. And, also point out to them in some kind of a

film. I'm sure there's one available from either the Convention Bureau, or from other sources that shows our Three Rivers Arts Festival, the Fire Works, the Regatta, the Great Race, all things that attract people and if they made the film properly you're going to license plates from all over the area from the five county region, and from Ohio, and from West Virginia, and from New York State, and what we want to point out which is what I did in my letter to the Legislators and incidentally I've had a lot of responses -- is that we were not asking to have Pittsburgh treated separately or specially or to be chauvinistic. We're saying treat us as an advertisement to attract people and businesses to Pennsylvania, and that they've got to give us tax reform. I don't know whether anybody has taken the time. I presume you have to read the last material that we received from Harrisburg that says that the election reform is dead in the water, and we cannot sit here and say well let the Administration worry about it. I've been sitting here ten years and saying let the Administration worry about it and they're telling us to mind our own business, and they go to Harrisburg and they say, you know what we really need tax reform, we need your help. That isn't enough and I might add that for -- I started the environmental movement in 1969 and nothing happened on coke ovens until we got the environmental bodies the Advisory Council to come to Pittsburgh and go to the coke ovens and go Clairton, and go to J & L, and see what was happening, and that was the first time anything meaningful happened. I think we need to bring our Legislators here take them on a tour and show them why Pittsburgh is a great advertisement for the state of Pennsylvania and that we should be pitting citizens of Pittsburgh against suburbanites, that they've got to give us some tax reform, and I think if they come and see it and don't think its just

because we arbitrarily want to get money from them. I think that they will be more responsive and I'd like to make that or I will prepare it Mike in the form of a motion for Council and see if we can get a consensus and have an actual invitation sent to the Legislators. I have and I'm sure others have the ability to get a letter out to all the Legislators that's now in my computer. I got the idea from Mr. Wagner so I'm sure its in his computer, and that we ought to invite everybody here and get on with doing something about getting some tax relief. The four percent burden is going to bring the City to its knee, if it hasn't already. It may be too late for a turn around. I'm really terrified and anybody that sits here and says its not a big issue is kidding everybody. It is a serious issue. Mike would you work with me and we'll prepare something, because I don't want to do it adlib off — but I do want anybody who'd like to add to that. I don't want to be proprietary. We can do it collectively as a body. Anybody's idea is welcomed and let's try to get on with doing something.

**Mr. Ferloc**

Mr. Chairman, in relation to going back to the Buhl issue. I think it's a very important discussion and I want to thank Mr. Wagner for initiating the post agenda. I would ask also that Mr. Gaetano from Public Works be invited I believe there was some ancillary support activities paving that were done. I'd like to know exactly what has happened over there in terms of City activities with the paving in and around the proposed site.

And, secondly, I hope that part the calling for this is a consideration at least it is on my part, and it's becoming increasingly clear to me that this Council needs to step in and possibly even suggest a reconsideration of the particular site and I hope that's part of

the thinking in wanting to review and discuss this issue on Wednesday. It's very critical we're at the crossroads and I fear that unless Council gets involved in this issue we're going to be involved in a multi-month litigation effort between two parties that might have irreconcilable differences and as Mr. Wagner has pointed out this project doesn't move any one iota ahead and that's just not the way it should happen. This is a very critical discussion Wednesday.

**Michelle Madoff:**

Mr. President, members of Council, I sent a letter to the key parties who have some objections to the Buhl Planetarium and ask some very specific questions. I received two letters one from Mr. Josh Wetzel and one from Mr. Donahoe from URA the information was not very clear or conclusive and therefore I am now studying those documents. I am glad that Mr. Wagner has asked for a post agenda. I will try to have that information by Wednesday. I don't know if I can, but I will try. I would suggest that perhaps we make a week later, but if you don't want to I'll very hard to have this information Wednesday. I will be happy to share my information with you and basically what has been stated here today it appears that a lot of money is gone for design, legal fees, but not one dime into building the project, and there seems to be some question of litigation that could indeed hold the project up ad infinitum which is not good for this community. I do think perhaps we ought to consider relocating and I would also like to ask that the legal counsel be either here or identified because most of those bills I believe are legal fees and architectural, engineering fees, and that's why I've asked that the architect be here and I'd like to have legal counsel on the Buhl Science Center be here as well. I don't know who the

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legal counsel is. I don't know who the engineer is, the architect is, architect, engineers, and legal counsel.

**Michelle Madoff** moved to approve the Minutes of Tuesday, September 6, 1988 and Monday, September 12, 1988.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to excuse Otis Lyons and Mark Pollock for absence from the meeting.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, October 3, 1988

No. 38

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, October 3, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. DePasquale presents

No. 1444 WHEREAS, fire in the home disproportionately strikes the very young and very old, and the majority of home fire deaths occur at night, when victims are typically asleep; and

WHEREAS, early warning of fire is essential to life safety and minimal fire loss, and smoke detectors can be an important part of this early warning; and

WHEREAS, proper fire safety planning and preparedness include the regular maintenance and testing of smoke detectors in the home; and

WHEREAS, the steps to ensure that smoke detectors work properly—regular testing, replacing batteries and cleaning—can be carried out easily; and

WHEREAS, the Pittsburgh Department of Public Safety, Fire Bureau, is dedicated to the safety of life and property of its protected citizens from the devastating effects of fire, and recognize the value of proper planning and preparedness before fire strikes; and

WHEREAS, the members of the fire service are joined by the citizens of this community, and businesses, schools, service clubs and organizations in their fire prevention efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh do

hereby declare the week of October 9 - 15, 1988 as FIRE PREVENTION WEEK and we call upon the people of Pittsburgh to participate at home, work and school, and to respond to the 1988 theme, "A Sound You can Live With. . . Test Your Smoke Detector", in conjunction with the observation of Fire Prevention Week.

**Mr. DePasquale** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. DePasquale:**

I have here, Mr. President, the Safety Director and Fire Chief Dickinson, if they would come up here please. And while they're on their way up, I don't have to say how much the Council of the City of Pittsburgh is aware of the fact and appreciates the great effort on the part of our Fire Department. You do such a great job. I don't have to say that probably fire is one of our worst enemies throughout the United States, especially in poorer areas. It's a great thing that they're doing here and it's something we should get behind 1000 percent. I would like the Safety Director of the City of Pittsburgh and Fire Chief Dickinson to say a few words. Thank you.

**Director Cannon:**

Thank you all very much. We're very honored for the resolution and to all our citizens and all members of Council we ask that you work with us as we enter into Fire Prevention Week. There are a number of programs that you've all be aware of for a long time; the Learn Not To Burn programs. We have a program we call EDITH which is Exit Drills In The Home, something that we believe in very strongly, that there should be a pre-plan

for young people, as well as older people, on how we should get out of the house. Before there's a fire, you ought to know how to do that. And programs like the Stop, Drop and Roll, which we teach young children that if their clothing should catch on fire, that they should stop, not run, drop and roll on the ground. All these are fire prevention programs that have been around and will be part of our Fire Prevention Week activities.

I'd like to introduce our new Fire Chief, Charlie Dickinson.

**Chief Dickinson:**

Thank you, Director. Mr. President, Councilmembers, I'd be most happy to tell you on December 31st, at the end of this year, that we haven't occurred a fire death in this City. Tragically, probably, that won't be possible. What we clearly know in the fire service, though, is that smoke detectors play a vital role in eliminating that possibility. The glamour part of the fire service is fire engines responding, lights, sirens, the actions on the fire ground. The heartache of the fire service is making people aware; the prevention side is the most critical part. We truly can prevent fire deaths.

My bureau along with all the members in our bureau are going to make a reconcerted effort to address fire prevention before the fires occur through a strict enforcement program where the laws allow us to do that, but a cooperative program with citizens in their own home to ensure that they do have a smoke detector.

One of the incredible things that has come to light in the past couple of years, people, after they install the smoke detectors, forgetting to change the batteries. Through a cooperative



effort with some public media news events in the next coming weeks, we're going to ensure the public is aware of that. Check your smoke detector batteries.

Thank you for the opportunity and passing the resolution. Thank you.

**Michelle Madoff:**

Director Cannon, I just wonder whether the new Fire Chief is aware that there is legislation mandating smoke detectors in multiple dwellings. That is our law now, is that not correct? So you will have the ability to enforce that.

And are we doing anything about occupancy permits where we've had some dreadful fires, as you know, in Oakland where we warehoused the children, there were no exits, no windows, no doors. There was a big bag obstructing an exit so that the only other exit available they could not get out. Are we doing anything about the occupancy permits?

**Director Cannon:**

That's part of our on-going inspection program and we do that now as well as inspecting the Code for smoke alarms in multiple family dwellings.

**Michelle Madoff:**

We have not covered every residence in the City that does violate the occupancy permit ruling and that's one of our major problems.

**Director Cannon:**

We have an on-going inspection program and very soon we are enlarging that to include company inspection programs that will give us much more resources on the street to be able to inspect all the occupancies of the City.

We've been working on that for over a year now.

**Michelle Madoff:**

That's fabulous so that the fire fighter could go to the home, perhaps.

**Director Cannon:**

We're going to do block by block inspections within the City.

**Michelle Madoff:**

That is wonderful. Thank you very much. Super job.

**The Chair:**

Thank you, Glenn.

**Mr. Wagner:**

Mr. President and members of Council, I'd like to ask Wendy Baughmiller to please step forward to receive this resolution. Wendy is the Chairwoman of the First Annual German American Day Gala Ball which will be held this Friday, October 7th, 1988 at the Vista International Hotel.

**Mr. Wagner presents**

No. 1445 WHEREAS, the Congress and the House of Representatives of the UNITED STATES OF AMERICA have passed into law joint resolutions designating October 6, 1988 as GERMAN AMERICAN DAY; and

WHEREAS, the Honorable RONALD WILSON REAGAN, President of the United States of America, officially proclaimed and signed into law GERMAN AMERICAN DAY; and

WHEREAS, Americans of German descent constitute the largest ethnic

group in the United States of America, with more than 52 million Americans proudly proclaiming their German heritage; and

WHEREAS, German Americans have, since the arrival of the first German immigrants in Philadelphia, Pennsylvania, on October 6, 1683, distinguished themselves by their loyalty and their contributions to the culture and life of the United States of America, and have supported themselves to the promotion of freedom for all people, everywhere; and

WHEREAS, the GERMAN AMERICAN FRIENDSHIP GARDEN, symbolic of the friendly relations between the peoples of Germany and the United States, will be dedicated in the City of Washington, in the District of Columbia in 1988, thereby further evidencing the continued contributions of German Americans.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 6, 1988 as GERMAN AMERICAN DAY and calls upon all citizens of the City of Pittsburgh to recognize the vital contributions of German Americans and to celebrate GERMAN AMERICAN DAY with them.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I'd like to introduce Wendy Baughmiller, again, the Chairwoman of the First Gala Celebration which will be held this Friday, to say a few words.

**Ms. Baughmiller:**

Mr. President, honorable members of Council, thank you very much for this proclamation. We want to express our thanks from Dr. Bouvier and from Ray Schmidt. They regret they could not be here. Dr. Bouvier is very busy with her schedule as a doctor, but she said to tell you all thank you. And Ray Schmidt said to express his thanks also. We appreciate this very much and we're very proud of this. Thank you all.

**Mr. DePasquale:**

I just want to say congratulations to Jack Wagner and the German American Day. In campaigning over the years, I found out that a lot of people ask you what's the biggest voting block in the City of Pittsburgh, and they're really surprised to find out it's German. I knew a long time ago but the people of German descent are the largest voting block in the City, and the United States of America for that matter.

**The Chair:**

Thank you.

**Mr. Coyne presented**

No. 1407 Resolution providing for an Agreement or Agreements or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Purchase of Land, Design and Construction of the Overbrook Recreation Center at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account EC 88-38.

Also,

No. 1408 Resolution amending Resolution No. 307, effective April 25, 1980, as amended by Resolution No. 352,

effective April 23, 1985, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with Green International (G.A.I.) for Consultant Services in connection with the Design of the Swindell Bridge; and providing for the costs thereof," by increasing the total project allocation by \$20,000.00 from \$232,000.00 to \$252,000.00.

Also,

No. 1409 Resolution amending Resolution No. 592, effective July 9, 1985, entitled: "Providing for the creation of a Trust Fund; providing for a Cooperation Agreement or Agreements with Allegheny County for the County's share of the Rehabilitation of the City-County Building Roof; providing for a contract or contracts for said project; and providing for the City's share of said project," by increasing the total contract costs by \$30,000.00 from \$296,000.00 to \$326,000.00 and by increasing the City's share of said project by \$8,000.00 from \$148,000.00 to \$156,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale:**

No. 1410 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Battalion Chief Robert Conley, Bureau of Fire, to attend the National Fire Academy, October 24, 1988 - November 4, 1988, in Emmitsburg, Maryland, at a cost not to exceed \$183.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. This two-week course which identifies the safe strategy and tactics for alleviating the dangers from a hazardous materials incident.

Also,

No. 1411 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for himself to attend the International Association of Chiefs of Police, 95th Annual Conference, in Portland, Oregon, October 14-19, 1988, at a cost not to exceed \$1,387.00, payable from the PSTA Code Account.  
**(PRIOR APPROVAL GRANTED)**

Also,

No. 1412 Communication from Glenn Cannon, Director, Department of Public Safety, amending Council Bill No. 1181, changing the dates for the training course entitled, "Hazardous Materials Incident Response Operations" in Cincinnati, Ohio, from September 11-16, 1988 to September 25-30, 1988. **(PRIOR APPROVAL GRANTED)**

Also,

No. 1413 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Sergeant Michael Brown, Bureau of Police, to attend the 1988 Crime Stoppers International Conference, in Omni International Hotel, Norfolk, Virginia, October 8-13, 1988, at a cost not to exceed \$1,050.00, payable from the PSTA Code Account. The City is trying to institute this program here and this conference will help the developing stages of the program. **(PRIOR APPROVAL GRANTED)**

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1414 Resolution transferring the amount of \$4,000.00 from Code Account 1632, Supplies, to Code Account

1631, Miscellaneous Services, and \$7,000.00 from Code Account 1635, Equipment, to Code Account 1633, Materials, all accounts within the Department of Public Works. —(MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1415 Resolution providing for an Agreement or Agreements with the A.R.C. House (Alcoholic Recovery Center) for professional services in connection with the repairs and renovations of their Rehabilitation Center at a cost not to exceed \$13,000.00, chargeable to and payable from Code Account 1103 (Index Code 110304) Miscellaneous Services, Department of City Planning. — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1416 Resolution providing transferring the sum of \$9,000.00 from Code Account 1169, Wages, Regular Employees, Sick Leave to Code Account 1160, Salaries; Regular Employees, the sum of \$8,000.00, and to Code Account No. 1185, Salaries, Regular Employees, Rodent Control, the sum of \$1,000.00,

Department of Environmental Services. The transfer is necessary to cover the additional 1988 expenditures in these salary accounts as a result of the use of an as needed position.

Which was read and referred to the Committee on Finance.

Mr. Lyons presented

No. 1417 Resolution amending Resolution No. 748, effective August 1, 1986 as amended by Resolution No. 710 of 1987 and Resolution No. 683 of 1988, entitled: "Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process," by increasing the authorized amount from \$398,973.75 to \$420,535.87, chargeable to and payable from Code Account CP 86-02, Citizens Participation and Technical Assistance, including Architects Workshop CTAC, and CDC's.

Also,

No. 1418 Resolution amending Resolution No. 732, effective August 14, 1980, as amended by Resolution No. 1365, effective December 31, 1981, and by Resolution No. 522, effective July 18, 1988, entitled: "Providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City," so as to decrease the amount of the project by \$10,785.58 from \$133,585.58 to \$122,800.00.

Also,

No. 1419 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution

Nos. 316, 797, 1201, and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution No. 101 and Resolution No. 201 of 1986; and by Resolution No. 711 of 1988 entitled: "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program," by decreasing a line item in the Department of City Planning and adding a line item in the Department of City Planning. The newly created line item is "Commission on Families".

Also,

No. 1420 Resolution amending Resolution No. 44 of 1976, as previously amended by Resolution Nos. 290, 446 and 820 of 1976, and by Resolution Nos. 319 and 461 of 1977, and by Resolution No. 241 of 1978, and by Resolution No. 1202 of 1980, and by Resolution No. 281 of 1981 and by Resolution No. 180 and Resolution No. 553 of 1982 and by Resolution No. 707 of 1987 so as to decrease the Department of Public Works Budget from \$2,176,523.08 to \$2,171,026.89 (-\$5,496.19) and reallocate these monies to the Unspecified Local Options Budget (to be used for the "Commission on Families" project).

Also,

No. 1421 Resolution amending Resolution No. 1043, effective November 24, 1986, entitled: "Providing for an Agreement or Agreements with the Health and Welfare Planning Association for the administration of the Commission on Families," so as to increase the amount allocation from \$50,000.00 to \$66,281.77.

Also,

No. 1422 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of 23J Lot 141 in the 25th Ward of the City of Pittsburgh for the sum of \$2,000.00 (RESALE FOR REHABILITATION). The Redeveloper is a non-profit Corporation located at 1000 California Avenue, Suite 200, Pgh., PA 15212. The officers are: David Spitzer, Chairperson; Barbara Burns, Vice-Chairperson; Willana Carter, Secretary; and Thomas E. Cox, President..

Also,

No. 1423 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS AND OFF-STREET PARKING).

Also,

No. 1424 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 23rd Ward of the City of Pittsburgh owned by Joseph P. and Mary A. Devlin and designated as Block 24K Lot 197 (810 Wettach Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (RESALE FOR USE AS A SIDEYARD).

Also,

No. 1425 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Charles S. and Kathleen Jeletic and designated as Block 22P Lot 240A (1443 Stedman Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (RESALE FOR USE AS A SIDEYARD).

Also,

No. 1426 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Joseph L. & Roberta D. Hammill and designated as Block 13B Lots 20 & 21 (1 & 3 Roscoe Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (RESALE FOR OFF-STREET PARKING).

Also,

No. 1427 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Richard C. & Lee Ann Kwiatkowski and designated as Block 13A Lot 164 (1921 St. Paul Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (RESALE FOR

USE AS A SIDEYARD).

Also,

No. 1428 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Community Partners Corporation and designated as Block 22K Lot 333A (1330 Decatur Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (RESALE FOR USE AS A SIDEYARD).

Also,

No. 1429 Resolution amending Resolution No. 1011, effective December 18, 1987, entitled: "Authorizing the submission of Enterprise Zone applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1988" to provide for the execution of Grant Agreements and deposit of funds in trust accounts. The state has provided \$125,000.00 for each of the Enterprise Zones for the 1988 program year.

Also,

No. 1430 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for himself to attend the annual meeting of Urban Land Institute in San Francisco, California, November 2-5, 1988, at a cost not to exceed \$1,750.00, payable from Code Account No. 1103, Miscellaneous Services.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff for Mr. Pollock presented**

No. 1431 Resolution providing for a Professional Services Agreement or Agreements for a Consultant or Consultants to investigate the City-County Building pipe tunnel for structural problems in order to determine the nature and extent of the problems and to recommend a course of action, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account GS88-04, Repairs & Operating Maintenance, Department of General Services.

Also,

No. 1432 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Carol Veal to attend the 1988 National Minority Supplier Development Council Annual Conference, in Dallas, Texas, October 30, 1988 - November 2, 1988, at a cost not to exceed \$1,250.00, payable from Code Account No. 1128, Miscellaneous Services. This seminar will sponsor workshops such as "Building a Successful M/WBE Program", "Selling the M/WBE Program Internally", "Current Legal Issues Affecting M/WBE Programs", and "Goals vs. Set Asides".

Also,

No. 1433 Communication from Dawn Botsford, Director, Department of General Services, requesting authorization for Barbara Burger to attend the "1988 National Safety Council Congress & Exposition" in Orlando, Florida, October 15-20, 1988, at a cost not to exceed \$1,500.00, payable from Code Account No. 1128, Miscellaneous Services. This seminar will explore the newest current ideas, programs and products in the field of safety, with a

broad spectrum of workshops, e.g. "Driver Improvement Programs", "Training Concepts for the Safety Trainer", and "Community Right to Know and Emergency Response Planning".

Which were severally read and referred to the Committee on General Services.

**Mr. Wagner presented**

No. 1434 Resolution changing the name of English Lane Field in Frick Park to Stanley Lederman Field. —  
(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

**Mr. Ferlo:**

What is so grave and important that we have to expedite the renaming of a field or a park, given the fact that many Pittsburghers have questions often times when we try to rename things?

**The Chair:**

Your question is on what, waiving Rule 8 or the renaming —

**Mr. Ferlo:**

Yes, what's the point of waiving Rule 8?

**Mr. Wagner:**

There has been a request from a community organization for the name

change as quickly as possible; therefore I want to bring it up into Council for discussion as quickly as possible. Any Councilmember can obviously do what they want on the bill; obviously I will support it, but I'd like discussion to begin as soon as possible.

**Mr. Ferlo:**

My only point in expediting it is I just hope its clear that we give people enough time, pro or con, to express their concerns on this issue.

**The Chair:**

Okay, all in favor? Opposed?

**Mr. Ferlo:**

Opposed.

**WHICH MOTION PREVAILED.**

Also,

No. 1435 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1436 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for Michael McManamy and Michel Branch to attend the PC Seminar entitled, "Upgrade, Repair, Maintenance, Troubleshooting" at the Hyatt, in Pittsburgh, PA, October 31, 1988 - November 2, 1988, at a cost not to exceed \$1,431.00, payable from Code Account No. 1043, Miscellaneous Services. This seminar is specifically designed for easy-to-learn upgrade techniques that will maximize our

existing systems, and help us to troubleshoot, repair, and maintain PC hardware and software.

Also,

No. 1437 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Howard Stern to attend a two-day seminar, "Introduction to Human Resource Information Systems" in the Grand Hyatt Hotel, in New York, New York, October 13-14, 1988, at a cost not to exceed \$1,361.00, payable from Code Account No. 1100, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

**The Chair presented**

No. 1438 Resolution transferring the amount of \$10,000.00 to Code Account 1851-1, Premium Pay, Pittsburgh Zoo from Code Account 1857, Provisions For Animals, Pittsburgh Zoo, all within the Pittsburgh.

Which was read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Lyons** seconded the motion.

Which motion prevailed.



## REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1439

Report of the Committee on Finance for September 28, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 454

A Resolution entitled, "Resolution directing the Mayor and the Treasurer of the City of Pittsburgh to amend the Pittsburgh Form 40, Earned Income Tax Return Form, to include a 'check-off' box to allow a donation to the Hunger Trust Fund of the City of Pittsburgh."

Which was read.

**Mr. Ferlo:**

Mr. President, I'd like to amend Bill No. 454 by the following: In the title and in Section 1, we would delete the words "Hunger Trust Fund of the City of Pittsburgh" and insert the words, "Emergency Food Trust Fund". And, also, by adding a Section 2 and a Section 3, and I believe everyone should have a copy of the amendment on your desk.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

Bill No. 674

A Resolution entitled, "Resolution amending Resolution 300 of 1984 entitled: 'Resolution amending

Ordinance No. 318, approved June 26, 1968 which authorized the Mayor to issue and the City Controller to countersign warrants for the purposes of establishing an imprest fund for investigation expenses for the Bureau of Police, Department of Public Safety, by deleting the payees named therein and naming the Superintendent of Police as payee; and by changing the amount of the fund from \$8,000.00 to the total of the amount existing in the fund at the time of the issuance of the warrant', by specifically including as eligible, expenses incurred in relation to the investigation of auto theft to be paid out of the Police Bureau imprest fund." —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Lyons:**

On Bill 674, how was that brought about for the imprest fund from the Public Safety Department? We're using the Superintendent of Police as the payee in the Auto Fund. I don't understand the bill. Mr. President, what is the procedure used now?

**The Chair:**

I wasn't here last Wednesday when this was discussed.

**Mr. DePasquale:**

Instead of naming all the names they just name the Superintendent of Police, but the checks, obviously, are made out to the respective parties that have the overtime coming.

**Mr. Ferlo:**

Mr. President and Mr. Lyons, on these two bills, this bill 674 and a second bill which actually creates a trust fund to receive contributions, on this bill, this

is existing legislation that is in place; however, it doesn't explicitly state that monies can be used for investigative costs related to auto theft. It's basically legislation that talks about costs that are needed for drug investigations. So this is broadening out the language to allow something that, to some extent, has been taking place but was never officially legislated and that is the prerogative of Chief Pampena and Director Cannon to expend monies in the Department on auto theft investigations.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1354

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Hydra-Stop, Inc., 126th & Homan Avenue, Blue Island, IL 60406, in the amount of \$2,500.00 in payment for services furnished for the benefit of the City in connection with emergency replacement of a valve; and providing for

the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1355

A Resolution entitled, "Resolution transferring \$24,000.00 from Code Account 1926 (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1971 (197103) Premium Pay, Purification & Pumping Division, Department of Water."

Which was read.

Also,

Bill No. 1356

A Resolution entitled, "Resolution transferring \$85,450.00 from Code Account 1926 (192609), Municipal

Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981 (198101) Premium Pay, Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1357

A Resolution entitled, "Resolution transferring \$108,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water, Administration Division, to Code Account 1983 (198309) Supplies and to Code Account 1986 (198606) Materials, Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1358

A Resolution entitled, "Resolution transferring \$16,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water, Administrative Division, to Code Account 1927-9 (192799), Worker's Compensation."

Which was read.

Also,

Bill No. 1360

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the

execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1361

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Deferral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1362

A Resolution entitled, "Resolution amending Resolution No. 967, Item B, approved 12-4-87, which authorized sale of property in the 4th Ward, located at 3509-3513 and 3515 Wakefield St. to

John H. Richburg and Gayle L. Washington for the sum of \$1,200.00."

Which was read.

Also,

Bill No. 1363

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Bill No. 1389

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a qualified third party administrator for the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of three years and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 1440

Report of the Committee on Public Works for September 28, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1347

A Resolution entitled, "Resolution providing for an agreement granting Gold Auto Parts, its successors and assigns, the right to construct and maintain a building over a City sewer on the property of Gold Auto Parts at 271 and 273 Baldwin Road."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7      NOES none

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1441

Report of the Committee on Planning, Housing and Development for September 28, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1348

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh being designated as Block 9-M Lots 154, 156, and 159, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1350

A Resolution entitled, "Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 21st and 25th Wards of the City of Pittsburgh being designated as Block 22-C, Lots 100, 101, 103, 107, 109 and Block 22-H Lots 43, 44, 44A, 45, 46, 186, 192, 223, 223A, 223B, 223C, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1351

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Commonwealth of Pennsylvania, Department of General Services, for the sale of Parcel A-1 in the 4th Ward of the City of Pittsburgh (RESEARCH AND DEVELOPMENT FACILITY)."

Which was read.

**Mr. Ferio:**

On Bill 1351, on the agreement between the City and the URA and the State of Pennsylvania for the disposition of land for the construction of the University Technology Center, I would like my comments brought forward from the Wednesday session.

In voting on this, I wanted to restate clearly the Director's comments, Donahoe, that is saying by approving this initial legislation we are in no way at this time approving a massive disposition agreement regarding the payment in lieu of taxes or payment for municipal services that will be paid and a disposition that will be negotiated between the URA, the City and the University.

So I wanted to make sure that's clear for the public record prior to voting on this legislation. So, that means that at some point in the future Director Donahoe will come back to Council and we will be able to review and discuss exactly what the payment in lieu of tax plan will be between the University and the City.

(REMARKS ON FOLLOWING PAGE)

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(MR. FERLO'S REMARKS ON BILL NO. 1351 - Wednesday, 9/28/88)

Mr. Ferlo:

Mr. Chairman, in the disposition agreement you sent to Council, I had thought that part of this agreement of the disposition tentatively was also an agreement for a payment in lieu of taxes, but I didn't see that explained in the agreement.

Mr. Donahoe:

This is the error that I have made. Let me try to explain it. What we were working toward were two master disposition agreements; one with Carnegie-Mellon University and one with the University of Pittsburgh, each of whom will take ten acres.

Two years ago the University signed an agreement with the city that in the event that any of this land is being tax exempt, the Board of Assessors rules it tax exempt, that they would pay to the city sort of a payment in lieu of taxes, and we are negotiating that as part of the master disposition agreement. What has happened here is because of the way the Pitt building is funded, we need this interim disposition agreement with the state who will not assume those liabilities.

Now, I have discussed this problem with them. They have assured me -- and they will assure Council if necessary -- that in the master disposition agreement that we signed, that they will assume those responsibilities for this building, as well as the entire site. But in this agreement that provision is not there.

Mr. Ferlo:

So I just want to be assured that in agreeing to this preliminary disposition, either from you or the Solicitor, that we are not locking ourselves into approving the payment in lieu of tax proposal.

Mr. Donahoe:

That is correct.

Mr. Ferlo:

I didn't see it in there.

Mr. Donahoe:

It is not in there, you are correct, and that will come to Council in the master disposition agreement with Pitt, and you can approve it or not approve it as you see fit.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 1353

A Resolution entitled, "Resolution approving execution of a Contract by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of Block 46-J Lots 140, 141, and 143, in the 26th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1442

Report of the Committee on Public Safety for September 28, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 677

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Auto Theft Trust Fund, for the deposit of cash and contributions from Insurance Companies, Citizens or transfers, and authorizing the use of the funds deposited therein by the Department of Public Safety for any and all expenses associated with investigations of auto theft." —  
(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

Just very briefly, this legislation clearly would create a separate trust fund for the receipt of contributions, private or otherwise. There was a very informative public hearing held a couple of weeks ago. Chief Pampena, in speaking at that public hearing in relation to the auto theft problem in the City expressed a notion that there was a five point policy or program that he was involved in in terms of trying to grapple with the alarming rate of auto theft in the City. He talked about public education and the Department, to their credit, is involved in specific outreach efforts that deal with the individual owner of automobiles, leaving keys in cars and other kinds of things that need to be done by the individual.

They also talked about improving the management information systems in the Department of Public Safety. The Chief also talked about the specific efforts of the task force that Director Cannon and he have created in relation to auto theft, a specific squad that's working on the issue.

The Chief and people at the hearing talked about tougher sentencing which pretty much would have to be state legislation and I would encourage support for Representative Markosek's bill in the State House. And also, there is other legislation that was mentioned at the federal level regarding the identification of auto parts and automobiles and the asset seizure when they are able to apprehend and basically raid a chop shop.

So, there's a lot of things that need to be done. This legislation is not going to resolve the problem or solve all of the problems but it's at least one small step in helping the Police Department by dealing with contributions hopefully aimed at setting up investigative techniques and operations to basically lower the auto theft in the City. In '86 we had over 9,000 automobiles stolen in the City; it's been down to a little over 7,000 in 1987. That's still 7,000 vehicles too much. So, I would ask for support of this legislation.

**Mr. Wagner:**

Mr. President, I'd like my comments brought forward on Bill 677 for the Record.

(REMARKS ON FOLLOWING PAGE)



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(MR. WAGNER'S REMARKS ON BILL NO. 677 - Wednesday, 9/28/88)

Mr. Wagner:

I would like to make a comment in regard to both bills. I asked Chief Pampena at the public hearing if he supported the establishment of the trust fund, he indicated he did. Therefore, I am sure the Director does also.

And I think it is important to note, Councilman Ferlo, some of the things that were stated there by yourself and by the Chief that in the auto theft problem in the City of Pittsburgh, over 20 percent of the cars that are stolen have keys in them, and I think it is important to note that publicly, and the importance of not leaving your keys in the car to reduce the potential of auto theft.

In addition to that, we not only have that problem in the city, it is a national problem of auto theft. And I said at the public hearing and I will say it again, we can make it to the moon, but the automobile manufactures refuse to build a car that is difficult to steal. Some automobile manufactures do make cars that are more difficult to steal, and I am not going to state what makes they are here at this table, but I think it is important that the media let that be known so that through purchasing powers the public will buy cars that there is less potential that they can be stolen.

It is very important that the public take whatever action they can take to not leave their keys in the car, to lock their cars, to put some type of anti-theft devise on their cars, and to buy cars that cannot potentially be stolen as easily within 12 to 15 seconds as other cars out there. I support the legislation.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 1443

Report of the Committee on Engineering and Construction for September 28, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1374

A Resolution entitled, "Resolution further amending Resolution No. 350, effective April 27, 1987, as amended by Resolution No. 568, effective July 20, 1988, entitled: 'Providing for a contract or contracts, or use of existing contracts, for construction in connection with the Replacement of Roofing Systems at Various City Facilities; and providing for the payment of the cost

thereof,' by increasing the total project allocation by \$25,000.00 from \$600,000.00 to \$625,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Mr. President and members of Council, I think we've all received the legislative reports that are coming in from our lobbyists. There's some group that we can't pin down who is doing some in-depth, behind the scenes evaluation of what's going on in government. I was sort of interested to notice that I haven't heard anything unless something has happened that nobody has said it publicly or I missed it somewhere that in the second to last report we got it said that the tax reform is dead in the water, that nothing is going to happen, they don't see a thing happening. It would seem to me that before we get into budget hearings,

this Council needs to meet with Mr. Chuck Kohling and find out exactly what is happening, where the bottlenecks are, and what can be done. And then we need to set up some kind of task force with community leaders, both in community groups and business groups, to really start to zero in on what is it we're going to do because I am a little tired, I don't know about anybody else, of hearing the Administration year after year after year saying I've gone to Harrisburg and I've testified and we said it's just too much money.

I think one of the things that's very positive that's happening in the Administration is the service fee that we've been advocating here for ten years and that is to start charging the tax exempt entities something for services, for police, fire, water, paramedics, and so on, and there is some movement in that direction on a volunteer basis from the tax exempt entities. But I think we need to take it from voluntary to mandatory, number one; and, number two, we'd better start talking about the four percent wage tax and doing something about the regressive taxes because I pick up a newspaper and it has an ad that says, move to our apartment, save four percent, substantive savings. You don't need to pay the City wage tax, and perception is half or three-quarters of the issue. The people perceive they pay four percent; it doesn't matter whether it's 2.2 and the rest is school tax.

We just can't sit here forever and say, I don't know how long I'm going to be here, I've got another year after this, I'd like to leave having done something about this wage tax situation. Perhaps we need to get in our cars and have a big sit-in in Harrisburg asking people to take their cars and their buses and pack a lunch and just go sit in Harrisburg until we get tax reform or, as I said earlier at

another meeting, maybe we need to invite our legislators here to go through the City, see some of the things that have happened that we provide to the State of Pennsylvania, our Three Rivers Festival, the fireworks, and what have you, and to point out that we have license plates from all over the state and all over the western region coming to see and take advantage of our events, and that we are really promoting Pennsylvania, not just Pittsburgh.

We've got to get some tax reform because, if you also read the articles in the paper not so long ago, in the last few days, they talk about more people moving out of the City. It just goes on and on and on. People are leaving, they're not going to stay and pay the wage taxes, the regressive taxes, and the more we have that the less people remain and those who remain will have to pick up the slack and it's not in the realm of possibility. So, what's going to happen is we're going to see where usually the hub is the energizer for the rest of the areas and suburban areas, we're going to see the suburban areas become hubs of their own and we're going to become just a black hole. We're going to become an empty black hole without having the base in this City. It is very frightening and it is very scary. This City sits here and fights over little pica-yune things that really have no substantive issue but we don't address the big issues which are tax reform and the four percent and all the regressive taxes.

So, I would respectfully request that before we go into budget hearings that we convene some kind of meeting with our lobbyists, with Mr. Kohling, and then subsequently move on to creating a task force and, as I said before, maybe we need to have a caravan of people going to Harrisburg. We need to sit on the steps of our legislators. We need to

show them films. I addressed a roll call House of the Legislature in '72 on environmental issues. There's no reason why we can't have someone address a roll call House of the Pennsylvania Legislature and show them a film, show them what we're doing, and that people are coming from all over the country to Pittsburgh and that we're spending our City's taxpayers' dollars and that we're not getting a fair return. We are going under. We are rapidly losing ground. And anybody who says that isn't so is just smoking something.

**Mr. Lyons:**

Since a toll has been set on the tax reform bill, I have to agree with Ms. Madoff. The Senate and the Legislature are both far apart. The Legislature had appropriate what looked like \$27 million to the City of Pittsburgh, and after many other items, the Senate has only approved \$2 million. Certainly I think that is something to look forward to before we go into our budget hearings or determine if there is going to be a tax reform. I agree that the people are exiting from the City of Pittsburgh because of the four percent wage tax. It had a great impact on the welfare of this City. I've exhausted great efforts at the beginning of the year looking at the School Board trying to get some relief there with the Senate and the Legislature and no one refuses to pass the bill because the Commonwealth of Pennsylvania pays \$482 million to the retirement fund of the Board of Education in Pennsylvania and each Legislator or Senator, after he had come to the table for a long time, refuses to pass it because their constituents would want the same thing. That leaves a great impact on the City of Pittsburgh while the albatross to the City is four percent while only 2.15 is the City's tax and 1.85 is the School District's. Certainly everyone that works for the

Board of Education has 6 percent retirement from their pay, 6 percent put in by the School Board and an additional 6 percent by the Commonwealth of Pennsylvania. I was interested in moving the 6 percent from the School Board to the Commonwealth of Pennsylvania and that's where everything fell apart, because you're already paying \$482 million a year in School Board retirement for the Commonwealth of Pennsylvania. And certainly we're just in a bad situation at present.

**Michelle Madoff:**

Mr. President and members of Council, we can sit here and say we're in a bad situation, and I agree with my colleague. But we've got to stop saying we're in a bad situation and start to do something. Obviously, the Administration, all the Administrations, have been unable to do something. They thought they would get more bees with honey than you could with vinegar. And they would go in and just very nicely say, "Look, we're in trouble, we need some help; won't you help us?" Yes, we'll look into it. Well, the State of Pennsylvania is going to have a surplus according to the media, and I know the media never distorts the news, of \$500 million. Pennsylvania will have a surplus of \$500 million. Why can't some of that money come back here, not the way Thornburg did it where he gave us all \$1.36, instead of putting some money into creating some new industry or giving us some tax relief. We could sit here and fight about or discuss how we're going to fund some little water pipe and, gee, that's nice took and we've got to transfer some money from one code account to the other. But the real substantive things we're not dealing with.

I'm saying I don't want to sit here and move my lips and just talk for the sake of being heard. I would like to see

some positive action. I would think it should come from the Finance Chairman. Let's convene a meeting before we go into our budget hearings and have Kohling here, number one. Number two, let's invite some of the key legislators to come, see if we can get them here, and obviously we're probably not going to, then darn it, let's get a caravan of the public. Get everybody who is willing to go, who cares about the City going down the tubes, get into our cars, get some buses, have people pay to get in the buses and bring some lunches and let's sit on the doorsteps in Harrisburg because nothing is going to happen if we don't do something very drastic. I don't want it to be us against them. I don't want to take on the suburbanites because, very frankly, we need to clean our own house.

There's so many areas that we could cut a million here and a million there. As Dirksen said, a billion here and a billion there and pretty soon it adds up to real money. I know of one source we could raise a couple hundred thousand, a million dollars, just like that. It's been completely overlooked in the City. There are so many areas if we went through and tightened our budget procedure. If we stop advertising come and get us, we have all this money to give away, we'd get our contracts done at half price. We wouldn't go back and do McArdle six times. Do it the first time and save the repeat dollars because it becomes so much less cost effective. That's good administration. But aside from that, the four percent — I couldn't believe it; I picked up some advertisement that said save all this money, save your four percent wage tax, it really is significant dollars, move to our development just outside the City. There are some parts of the suburbs that are closer to the City than City areas that go out into sort of an offshot.

We've got to do something and we've got to do something now. It is very critical.

**Mr. Ferlo:**

Mr. President, on a different note, I would like to know when the President and/or the Council Finance Chairman, Mr. Wagner, will be communicating to Council regarding the issue of filling the Budget Controller's position and/or other considerations that I've addressed concerning that office.

**The Chair:**

I will be doing that very shortly. I will be calling a meeting with all Councilmembers. I couldn't do it today because we are absent a member.

**Mr. Ferlo:**

Thank you.

**Mr. Ferlo** moved to approve the Minutes of Monday, September 19, 1988.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. DePasquale** moved to excuse Mr. Pollock for absence from the meeting.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Monday, October 10, 1988

No. 39

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA

Monday, October 10, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Ferlo presents

No. 1467 WHEREAS, suggestions are constantly made to rename public places and properties; and

WHEREAS, the names of the places and properties under discussion often have significance to many different sectors in the City; and

WHEREAS, the names suggested for renaming are often controversial; and

WHEREAS, the Mayor and City Council are currently placed in a position to decide what is proper to rename and what is not proper without expert consultation and without full input from the community; and

WHEREAS, the names of public places last throughout the centuries and should not be constantly altered.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh respectfully requests the Mayor to convene a broadly representative group of citizens for the purpose of creating a "Commission on Renaming Public Places and Property" whose responsibilities include, but are not limited, to developing appropriate guidelines and mechanisms for formal recommendations to the Mayor and Council concerning the renaming of public places, facilities and properties.

Mr. Ferlo moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Again, this is a non-binding

resolution, a request, to the Administration.

**Mr. Coyne presented**

No. 1446 Resolution transferring the amount of \$6,000.00 from Code Account 1490, Equipment, to Code Account 1484, Supplies, both accounts within the Department of Engineering and Construction. This resolution will provide sufficient funds to cover the purchase of office, printing, engineering and chemical supplies for the remainder of 1988.

Which was read and referred to the Committee on Finance.

**Mr. Coyne** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. DePasquale presented**

No. 1447 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Brian Bark, CAD Systems Coordinator, Bureau of Administration, Department of Public Safety, to attend the APCO quarterly chapter meeting, in Wilkes Barre, Pennsylvania, October 13-14, 1988, at a cost not to exceed \$50.00, payable from the PSTA Code Account, Bureau of Administration, Department of Public Safety. Brian Bark will be addressing the chapter in a one hour presentation on Medical Priority Dispatching. (PRIOR APPROVAL GRANTED)

Also,

No. 1448 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Police Officer Robin Brandt, Bureau of Police, Department of Public Safety, to attend the Governor's Crime Prevention Awards Conference which will be held on October 13-14, 1988 in Harrisburg, PA, at a cost not to exceed \$198.00, payable from Code Account (PSTA), Bureau of Police, Department of Public Safety. Officer Brandt was nominated as the Crime Prevention Officer to represent the City of Pittsburgh to receive this prestigious award from the Governor.

(PRIOR APPROVAL GRANTED)

Also,

No. 1449 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Captain John Bauer, Bureau of Fire, Department of Public Safety, to attend the National Center for State and Local Law Enforcement Training in Glynnco, Georgia from October 24-November 4, 1988 to attend a course entitled: "Arson for Profit - For State and Local Investigators", at a cost not to exceed \$831.00, payable from Code Account (PSTA), Bureau of Fire, Department of Public Safety. This is a course developed by the ATF with the cooperation of the International Association of Arson Investigators, State and local police and fire officials, and the insurance industry, the AAPITP is intended for the full-time arson investigator and focuses exclusively on the investigation of arson fraud. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1450 Resolution providing for an Agreement or Agreements, or the use



of existing Agreements with the Port Authority of Allegheny County, for the renovation or repair of various bus lanes throughout the city; also to create a trust fund entitled: "Port Authority Bus Lanes Trust Fund."

Also,

No. 1451 Resolution amending Resolution No. 154, effective March 21, 1988, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for improvements to the Three Rivers Stadium Parking Lot and other work incidental thereto, and providing for the payment of the cost thereof," by increasing the total allocation by \$400,000.00 from \$300,000.00 to \$700,000.00, chargeable to and payable from Code Account PW 88-16, Three Rivers Stadium Parking Lot Improvements.

Also,

No. 1452 Resolution amending Resolution No. 141 approved March 11, 1988 entitled: "Providing for a Contract or Contracts or use of existing Contracts for the renovation or repair of concrete streets, various areas throughout the City," by increasing the allocated amount by \$50,400.00 from \$150,000.00 to \$200,400.00, \$150,000.00 shall be chargeable to and payable from Code Account PW 88-04, Concrete Overlay Program; \$50,400.00 shall be chargeable to and payable from the "Port Authority Bus Lane Trust Fund."

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Lyons seconded the motion.

Which motion prevailed.

Also,

No. 1453 Resolution providing for an Agreement or Agreements granting unto the Boron Oil Company, their successors and assigns, the privilege and right to construct, maintain and use a Mini-Mart over the 60-Inch Storm Sewer Right-of-Way at 2230 Saw Mill Run Boulevard in the 32nd Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Also,

No. 1454 An Ordinance supplementing and amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new item (d) "Pre Bid Specification" and changing item (d) to (e) and item (e) to (f) under Section 161.16 "Required Provisions in Contracts." —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on General Services.

Mr. Lyons presented

No. 1455 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Pittsburgh Community Services, Inc., (CC-88-01).

Also,

No. 1456 Resolution providing for an Agreement or Agreements with the Salvation Army for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$46,000.00, chargeable to and payable from the 1987-88 Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 1457 Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office, at a cost not to exceed \$53,060.00, chargeable to and payable from the 1988 Community Development Block Grant Program - City Council - Hunger Services Network (CC 88-10).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1458 Resolution transferring the sum of \$2,500.00 from Code Account 1103, Index Code 110304, Miscellaneous Services, to Code Account 1104, Index Code 110403, Supplies. This request is being made in order to purchase the

necessary supplies for the remainder of 1988.

Which was read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1459 Resolution to elect, as provided by the "Municipal Pension Plan Funding Standard and Recovery Act," a choice of recovery program for the City's various pension plans, and to authorize appropriate municipal officials to take actions necessary to implement various aspects of the act and associated recovery programs.

Which was read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1460 Resolution transferring the sum of \$7,500.00 from Code Account 10 Accounts Payable Prior Years, to Code Account 1838 Miscellaneous Services, Department of Parks and Recreation. —(SPONSORED BY MR. WAGNER)

Also,

No. 1461 Communication from Sophie Masloff, Mayor, City of Pittsburgh, requesting authorization for Jeffrey Leber, Assistant Budget Officer, Office of Management and Budget, to attend a meeting of the Urban

Consortium Environmental Task Force, in Washington, D.C., October 31-November 2, 1988, at a cost not to exceed \$200.00, payable from Code Account No. 1017, Miscellaneous Services.

Also,

No. 1462 Communication from James Turner, Director, Department of Finance, requesting authorization for Barbara Lapcevic, Assistant Payroll Supervisor, Department of Finance, to attend the American Payroll Association's Year End Payroll Conference in Pittsburgh, PA, October 26, 1988, at a cost not to exceed \$215.00, payable from Code Account No. 1063, Miscellaneous Services. This conference should prove extremely valuable to Ms. Lapcevic in her position. The workshop sessions include proper balancing of data-payroll reconciliation, pending legislation-minimum wage, medicare and social security tax, etc.

Also,

No. 1463 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Anne McCafferty to attend the Pennsylvania Department of Labor and Industry's training seminar on Youth Competencies, in Harrisburg, PA, October 25-26, 1988, at a cost not to exceed \$550.00, payable from the JTPA-1 Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

**The Chair presented**

No. 1464 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the renaming of English Lane Field in Frick

Park to Stanley Lederman Field. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 1465 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the cutbacks in the Department of Environmental Services.

Which were read, received and filed.

**Michelle Madoff:**

Point of Order. This bill just introduced to hold public hearings, does that mean they're going to be held or does it mean its up for discussion?

**The Chair:**

It means that if there are 25 signatures there will be public hearings held.

**Michelle Madoff:**

I've been given to understand, and I could be wrong, that on one of the bills, the person they wish to name the street after does not wish to have that happen.

**The Chair:**

Fine. Then he can come to us and withdraw the petition or the bill.

#### **REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1466

Report of the Committee on Finance for June 5, 1988 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1302

An Ordinance entitled, "An Ordinance supplementing Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by including in the protected class the nature of the sexual orientation of a person." —  
(SPONSORED BY MR. POLLOCK)

Which was read:

**Mr. Pollock:**

There is no doubt in my mind that the legislation to include protection against discrimination on the basis of sexual orientation in the City's existing Human Relations Act has created the most interest of any Council bill in many years, if not in the history of this City. The local media has seized upon this issue in an unprecedented manner. As the members of Council know, Pittsburgh newspapers deem a very small percentage of Council's agenda worthy of comment. Only an insignificant amount of our work rates one editorial. If there are two editorials on something we do, it is a very uncommon example. And more than two is extremely rare.

I feel very secure in stating that in the 172 years since this City was incorporated, no proposed Council action has engendered anywhere near the amount of public comment that this bill has. There have been 11 editorials regarding this ordinance: April 15, Pittsburgh Press; June 3, Pittsburgh Post Gazette; July 20, Pittsburgh Post Gazette; September 16, Pittsburgh Post

Gazette; September 16, Pittsburgh Press; September 21, Pittsburgh Press; September 24, Pittsburgh Post Gazette; September 24, Pittsburgh Press; October 4, Pittsburgh Post Gazette; October 7, Pittsburgh Post Gazette; and October 8, Pittsburgh Press. I might add that with the exception of but one of those 11 editorials, every one has been in support of this bill.

Television and radio editorialists, op-ed writers, editorial cartoonists, columnists and other electronic and print media commentators have addressed this issue. Again, with very few exceptions, the support of this bill has been consistent and strong.

The calls and letters to Council are the most I have seen on any matter in the three years I have been here, and probably the most ever received on any issue.

What I would like to do at this time is to address one by one each reason that I have heard given by opponents of this bill for their opposition.

Let me begin by addressing the most counterfeit one; that is that this bill is not legal. I know, and most of the public knows, that those who are attempting to hide behind the cloak of illegality are perpetrating a charade. I am reluctant to dignify this sham but I will, nevertheless, show it for what it is.

Briefly, to review the discussion of Wednesday, those opposing the bill rely on one case, the much analyzed Commonwealth Court case of The Pittsburgh Human Relations Commission vs. MacBeth in 1978. Let's look at exactly what this case says. In this case, Pittsburgh's Human Relations Commission attempted to award attorneys' fees as part of its remedies. Studying the language of the enabling

act, the law creating the State Human Relations Commission, the Commonwealth Court said that local commissions were limited to powers and duties similar to those granted to the State's Human Relations Commission. That's it. That's the whole argument against the legality of the bill.

That same case goes on to say that local commissions can add powers and duties if there is an ordinance by their local legislative body granting that power.

To counter that argument, the argument of illegality, one can examine the language relied upon by opponents. If the Legislature had wanted to strictly limit local commissions, it could clearly have used more restrictive language. Why did the legislature only use the word "similar"? Why not "identical" or "exactly the same"? The answer is quite simple. The Legislature recognized that discrimination and protection against it are evolving matters; that as different types of discrimination surface, they must be dealt with. That is why over the years there have been new protected classes added to laws designed to combat discrimination. That is why protection for women, for the handicapped, and for older Americans have been legislatively added in not too distant times.

In addition, what sense would it make to interpret a statute so that local commissions can only exactly duplicate the State Commission? What purpose would local commissions serve if they had the same exact powers? Indeed, it must be pointed out that the MacBeth case and the State Enabling Act do not even address the issue of protective classes; they merely limit the scope of powers of commissions - in other words, what commissions can do, not whom they can protect. That is why Human Relations Commissions across the state

have added protected classes.

Besides the much talked about Philadelphia and Harrisburg gay rights ordinances, there have also been other protections added by local Human Relations Commissions and enforced by local Human relations Commissions. Allentown has added protected classes. The City of York has added protected classes. Marital status has been added and enforced. A general equivalency diploma versus a high school diploma has been added and enforced. And the City of Pittsburgh itself, in its own Human Relations Act, when the City Council enacted it in the 1970s and which has been enforced ever since, already added a protected class, place of birth.

As Professor Jules Lobel of the University of Pittsburgh School of Law and the National Lawyers Guild pointed out in his brilliant Memorandum of Law, submitted to all the Members of this Council, defending the legality of the ordinance proposed, the City of Pittsburgh has already done what today's bill attempts to do, add a protected class. And this can be legally done. That is why all of these other added protected classes are still on the books unchallenged. That is why Philadelphia's gay rights ordinance has been enforced in approximately 100 cases over the past 7 years, and that is why Harrisburg's, over 5 years old, is still unchallenged.

On Thursday, I spoke with one of the leading experts in the state on human relations ordinances, Mary Kay Rogers, an attorney and the Executive Director of York's Human Relations Commission. She informed me that she believes that without question protected classes can be added. As Professor Lobel cited in his Memorandum, the State's Human Relations Commission Enabling Act is to be liberally construed, which means that any doubts must be decided in favor of a

broader interpretation.

The point of all this truly unnecessary smashing of the argument that the bill is illegal is to point out that nobody, nobody, can state with any degree of certainty that the proposed ordinance is not permitted by law. It cannot be done. There is no authority for that position. The most, the absolute most, that anyone could say, is that there may be a question about it, could be. But the overwhelming argument is that the added protected class would be upheld.

As the only elected official in this City who is also an attorney, I feel I have a responsibility. That responsibility is to act in a manner consistent with the law, with legal precedents, and with valid legal opinions. That is why when abortion rights advocates asked me to introduce a bill restricting picketing at clinics, I had the ordinance reviewed by the American Civil Liberties Union; an organization, by the way, of which I am proud to say I am a card-carrying member.

**The Chair:**

Before you continue, Mr. Pollock, I want to remind the people in the gallery that this is unlike a public hearing; this is going to be run very, very professionally. This is a legislative meeting, its the legislative body here. There's not going to be any clapping every time someone makes a speech or something you agree with, or any booing. This is my first warning and my last warning, and I mean this. This is not a public hearing.

Please continue, Mr. Pollock.

**Mr. Pollock:**

When the ACLU said that the

suggested ordinance was not constitutional, I refused to introduce it. That is why, when I or others saw legal problems in my smoking and graffiti bills, I held them up until the legal flaws could be corrected. That is why a few weeks ago, when this Council voted to ban plastic pipe in the City of Pittsburgh, while each Member of Council was holding a United States Supreme Court opinion stating that this Council couldn't take such action, I was the only vote against the illegal ban. Now, as we all know, the City is defending two lawsuits as a result of that illegal Council act, and will probably lose them both.

Those propounding the position that they are voting against the ordinance because it is illegal are simply not telling the truth and are attempting to worm out.

The next reason for opposing this bill, which I will address, is the fallacy that there is no discrimination. Some ridiculous individuals even state that there are no studies to show that there is discrimination, which is not true. Every Member of this Council was provided studies showing that there was discrimination against individuals on the basis of sexual orientation in numerous cities and in the Commonwealth of Pennsylvania. We were given these studies over a month ago.

These same ludicrous individuals also go on to state that homosexuals are affluent. Now that's an especially laughable position and it would be such if it weren't so subject to sadness and scorn. These individuals disingenuously state that there are no studies to show discrimination, but there are studies to show the affluence of gays. Where are these studies? Nobody has ever seen any studies showing that gays are affluent. And besides, all the money in the world

cannot buy a person a seat in a restaurant, or entry to a bar, or an apartment, or a job, if the owner, or the proprietor, or the employer doesn't want to hire or serve or allow in an individual on the basis of his sexual orientation.

This Council sat here for six and a half hours and listened to the most dramatic, most courageous, most effective testimony ever presented in these Chambers. Dozens and dozens of individuals came forth to tell their stories of discrimination, to reveal how they have suffered because of what they are. Those individuals who testified at the public hearing are some of the bravest men and women I have ever had the honor to encounter. These people risked their jobs, risked their homes, risked relationships with their families, friends and loved ones. They even risked their safety and well-being. They appeared before this Council, before the media, and before the City of Pittsburgh to acknowledge their homosexuality and to try to end the discrimination that exists.

These men and women are heroes; they are true freedom fighters. Their stories made the best case this Council has ever been presented for the passage of any legislation. They proved there was discrimination. And for every one person who testified on behalf of the bill, for every one person who had the rare courage to bare his soul to the people of Pittsburgh, there are hundreds or thousands of others who couldn't. The men and women who came here deserve more than to be called liars. They deserve better than to be ignored, to be treated as if they don't count or don't matter.

To say there is no discrimination is to utter an obscenity. To those who say there is no discrimination, I say, "Don't magnify the indignity. Don't victimize

the victims. Don't further persecute the persecuted."

There is discrimination. There is plenty of discrimination and prejudice and hatred. Letters like I've been receiving over the last month are just a small example. "Queers, please be informed that all you deserve is what you're getting - AIDS." "Die, faggots." "Die you fags." "Sweeties, seen your pathetic poster on the local telephone poles. Couldn't come up with a better name for you bunch of rejects. You sure have something to cry about. We'll all be so happy when you are deported back to Africa." That is curious language indeed. I didn't know that homosexuals came from Africa. But I guess these people already had their signs and cards from past campaigns to send other groups to Africa already printed, so I guess they must have saved some printing costs. Or else they just associate everything they hate with that innocent continent.

Not a day goes by that at least one person, and usually it's many more, comes over to me and tells me how he or she has been discriminated against. Or how his or her child or brother or sister has been discriminated against. These stories are very moving and, despite my busy schedule, I always stop to hear them and listen to what the people have to say. I am especially touched by the individuals who share the stories of their experience with a gay brother or a gay sister or a gay daughter. They tell me how important this legislation is. They tell me how tragic the situation is for the gay men and women that they know and love. They tell me how very, very sad it is that it frequently requires one to have a loved one who is a homosexual before he or she develops acceptance of fellow human beings.

Since the progress of this

legislation has been so visible, others have come forward to me. Last week the owner of an employment agency, a heterosexual, told me that many, many employers in the City of Pittsburgh have told him, "Don't send me any queers", and there is nothing that can be done legally about it.

On Friday, I had the manager of an agency for temporary employment come to my office to see me. She told me a fascinating story. Her agency functions as other temporary employment agencies do by hiring individuals with various skills and placing them with employers who need workers with these specific skills for a period of time ranging from one day to six months. The agency checks the qualifications of these applicants, and if the agency finds the individual qualified, they tell him or her that they have the position for whatever time is required by the employer who called the agency. What this manager told me was that she will check the skills of the temporary employees and will send the most qualified ones to the employers. She will tell the temporary employee that he or she has the position for one month or four months or whatever. Naturally the person will be quite excited.

The manager told me that frequently she will get a call from the employer screaming at her, telling her never to send them another faggot. She will then have to tell the person who is otherwise well qualified, whose only sin was that he or she had mannerisms which were perceived to be homosexual, she will then have to tell this person that he or she wasn't going to be able to have the position for the time he or she was told. And she would have to make up some excuse as to why this person, who is otherwise qualified, wasn't able to continue working. This manager told me that other temporary employment

agencies experience the same thing and the managers always talk about it. And there is nothing that can be done legally about it.

I said earlier that the courageous individuals who testified in favor of the legislation made the best case ever presented on behalf of any legislation. I misspoke. The best case was actually made by the opponents. Does anyone doubt for even one minute that the people who came down to Council to spew their venom against homosexuals would hesitate for one minute to fire a person if they found out that he or she was gay, or to throw a person's belongings on the street if they found out that person was gay, or to deny a homosexual service in their restaurant or not to hire a homosexual. What greater proof of the need for this ordinance could there be than the people who are so vicious and ugly, opposing it?

In the 1940s there was a marvelous book written by Laura Hopson entitled, Gentlemen's Agreement. This was the story of a Christian who assumed a Jewish name and claimed that he was Jewish. He did this for the express purpose of experiencing anti-Semitism firsthand. And he did.

In the 1960s, John Griffin wrote the fantastic book, Black Like Me. Incredibly, Mr. Griffin, a white man, chemically died the pigment of his skin black so that he could experience racism in America firsthand. And he did.

In a very, very, very small way, I feel somewhat like those two people. Presumably, because I introduced this ordinance and am fighting for its passage, and presumably because I am not married, many people believe I am gay. The hateful calls to my house and office at all times of the day or night calling me a faggot, threatening to



exterminate me or hurt me on the street or spit on me, have been coming in for weeks and weeks. The things people have said about me that have gotten back to me from my friends, all of these things have given me a very, very small sampling of what it must be like to live every day as a homosexual man or woman in Pittsburgh. I know I've had it for a very short time, and I hate it.

Yes, there is discrimination against individuals on the basis of sexual orientation, a great amount of it.

Another argument presented against this bill is that gay men and women are protected already. The laws on the books already cover them. That is purely and simply untrue. There is no ordinance, no statute, no constitution, no charter, no case law, no ruling, nothing which provides protection against discrimination on the basis of sexual orientation for Pittsburgh men and women. An individual could sit down at a restaurant and be told by the owner, "Get out of here; I don't serve queers", and there could be nothing done about it. A person could attempt to rent an apartment and be told by the landlady, "I don't rent to homosexuals", and there's nothing that could be legally done about it. A person could be told when seeking employment, "I don't hire faggots", and there would be nothing that could be done about it legally.

It is nonsensical, dishonest and stupid to claim that there is protection when there isn't. Why else would our City Human Relations Commission unanimously appeal to Council to pass this bill? There is no legal recourse for homosexual discrimination in Pittsburgh. None.

Another argument presented is that homosexuality is immoral. Who are we to judge morality? Who are we to

determine what is proper to be done in the privacy of one's bedroom between consenting adults? I would never think to peek in the bedroom of others, any more than anyone on this Council would want someone looking into his or her own bedroom.

The words of Justice Harry Blackmun in the infamous Georgia sodomy case go to the very heart of this issue. He said, "Depriving individuals of the right to choose for themselves how to conduct their intimate relationships poses a far greater threat to the values most deeply rooted in our nation's history than tolerance of nonconformity could ever do."

I challenge any person condemning the morality of homosexuals to present his or her own life for inspection. This Council and no governmental body could or should determine such issues of morality.

Ronald Reagan's very conservative Surgeon General, C. Everett Koop, said it best: "I am the Surgeon General for the homosexuals and the heterosexuals, for the young and the old, for the moral and the immoral. I don't have the luxury of deciding which side I want to be on."

I next want to address the issue that discrimination against gay men and women is not the same as discrimination against Blacks. Frankly, I am horrified at that statement. Civil liberties, civil rights, have no color or sex or age or sexual orientation. If a person won't be served at a lunch counter because of what he is, that's a violation of his civil rights. It doesn't matter whether the refusal is because he's Black or Italian or Arab or homosexual. A Black person saying that Blacks are entitled to civil rights protection under the law, and homosexuals aren't, is like him pulling up the ladder to the lifeboat after he is

already saved from the ocean. And that is why, historically, Black leaders have argued for gay rights.

Going back to Martin Luther King, there is a proud tradition of Black civil rights leaders marching arm in arm with their homosexual brothers and sisters. That is why Mayor Wilson Goode and Reverend Joseph Lowrie and Mayor Andrew Young and Coleman Young, and on and on and on, leader after leader in the Black community, supports gay rights. They know that the words of Dr. Martin Luther King are still true, that "injustice anywhere is a threat to justice everywhere". And Dr. King's widow, Coretta Scott King, recently said, in speaking for the Black community, "We believe that the rights of all people must be protected and guaranteed. We believe that the gay and lesbian community must be supported in their civic rights."

When the gay community marched on Washington, Jesse Jackson led that march. In fact, Jesse Jackson signed a petition which read as follows: "We, the undersigned, petition the Human Relations Commission to initiate actions to amend the Human Relations Act of the City of Pittsburgh to include sexual orientation and would furthermore request that this item be on the agenda at the May, 1988 meeting of the Commission." Here is Jesse Jackson's signature on that petition.

During his campaign for the Presidency, Jesse Jackson consistently spoke for gay rights. He told an arena full of Black men and women in Milwaukee that discrimination against gays was not right, that America can be better than that.

This is a civil rights issue. It is about people being discriminated against, being persecuted against, because of who and what they are. To call it anything

different is a disgrace and an insult to those who have fought for civil rights for all Americans in this nation.

I next want to discuss a fascinating argument of the opponents. That is the one that goes, "I'm not voting for this because the Ward Chairmen and the people in my district don't want it." The other day a reporter asked me if I thought a member of Council was voting against the legislation because of his district. I answered the question, and later it struck me, "Wait a minute, did I miss something? Did I miss an election? When did we have district elections?" Nobody represents a district. Every Member of this Council was elected by the entire City of Pittsburgh to represent the entire City of Pittsburgh until January, 1990.

I have been told repeatedly that individuals calling to express their support of this bill are asked their zip code and if they don't reside in a particular zip code in the City, their opinions are not considered. Are all the other Members of Council doing this? Are all the members of Council only representing some district? Because, if that's the case, then there are some very serious problems. If that's the case, much of the City is disenfranchised because the eight people seated at this Council don't live in the nine districts that the Judge approved for apportionment elections. If that's the case, the good people of Homewood and East Liberty and North Point Breeze and the Mexican War Streets and the Hill District and other neighborhoods don't have a Councilperson. They don't have anyone to call. Well they can still call me and I hope they can call all the other Members of Council.

The people of Pittsburgh want this ordinance. The calls and letters coming in from City residents for this bill are

more than five times the calls and letters against it from City residents.

I must confess, I don't put a lot of stock in polls, but the recent Post Gazette poll was so astounding that I must cite it. Despite heavy opposition from the Bishop and the Catholic Church, despite all the misinformation and disinformation about the bill, despite all the lies going around saying that employers will have to put ads in gay newspapers and to recruit gay individuals, despite all the hysteria about AIDS, a far greater number of people in this City were still in favor of this bill than opposed to it. That's unbelievable.

But even if, for the sake of argument, the people did not want this ordinance, what kind of elected official, what kind of leader would base his or her decision on a matter such as this on a referendum? This is why we are elected. This is a moral issue. It shouldn't be put to a vote of the masses.

The British philosopher and legislator Edmund Burke described the dilemma of conflicts between constituents' wishes and the beliefs of the elected representative. Burke said, "The constituents' wishes ought to have great weight with the representative; their opinion, high respect. But your representative owes you his judgment and he betrays instead of serving if he sacrifices it to your opinion."

If courageous elected officials throughout the history of our nation had not gone against the wishes of their constituents, Black men and women would be coming to the City County Building not to be Judges and Councilmen but to be shoeshine boys and restroom attendants.

The deceased Federal Judge from Boston, Charles Wyzanski said it best.

"Civil liberties is not something the average person cares about except when his own ox is gored. I promise you, if you put on any ballot the first ten amendments or anything else which involves liberty, and you took a poll of the total electorate, there isn't a single amendment that would pass."

And I might add, Ward Chairmen come and go, but civil rights are forever.

Now I want to address the issue of the religious opposition to this ordinance. To begin with, it makes me extremely uncomfortable to discuss theology in Council, but it has been raised by others as a reason to oppose this bill so I will be forced to address the subject.

Permit me to read from a very important letter. "Homosexuality is an ever present and complex issue. Catholic teaching recognizes that some people, through no fault of their own, find themselves to have a homosexual orientation. This orientation in itself is not immoral or sinful. It is neither good nor evil in itself. For this reason, the Catholic Bishop's 1976 Pastoral Letter, The Gift of Sexuality, notes, 'Homosexuals, like anybody else, should not suffer from prejudice against their basic human rights. They have a right to respect, friendship and justice. They should have an active role in the Christian community. There is no place for arbitrary discrimination and prejudice against a person because of sexual attraction. We especially deplore violence and harassment directed against such persons. All human persons, including those with homosexual orientations, have a right to decent employment and housing.'"

That, of course, is from the much talked about letter from Bishop Wuerl to the Pittsburgh priests. The letter went

on to state that the Bishop opposed the ordinance because while, what a person is should clearly be protected, that person's conduct or activity should not.

As we all know, on Wednesday this Council voted to amend the bill so as to define the protected class according to what the people are, not what they do.

Further, I amended the ordinance to plainly state that no particular lifestyle was condoned or advocated. But even by doing what I feel very uncomfortable doing, that is, negotiating in the religious forum, that wasn't enough for some.

I would like to talk about what is really going on here from a personal viewpoint. I, myself, am on a long, difficult, but beautiful journey. That journey is to bring me closer to what Dennis Prager calls the Jewish Trinity: God, Torah and Israel. Leading me on this path are my rabbis here in Pittsburgh and the Chief Lubovitcher Rebbe in New York.

Over the past month there have been seven Jewish holy days and, of course, four Sabbaths. Because the holy days and the Sabbaths are celebrated both the night before and the day itself, I feel as if I have spent more waking hours in Synagogue over the last month than I have out. Maybe I have. I must tell you that I love my Synagogue. I love the people there and I especially love my rabbis. They are brilliant, brilliant men, and they are also excellent teachers. They have taught me much and I have gained so very much from them.

Holy days and Sabbaths are radiant. I conduct no business; I make or receive no calls. I don't drive. I listen to no radio and watch no television. I go to the Synagogue and I learn and I pray and I talk. It is an oasis for me. But for the

past four weeks, the radiance of the Sabbath and the holy days has been somewhat shattered. When I go to the Synagogue, my ordinance comes with me. I am constantly forced to defend it. I am told how wrong it is. I am engaged in debate on the merits of it.

Most significantly, many of my rabbis, my teachers, my guides on the beautiful pathway to God, Torah and Israel tell me it is wrong. They tell me I shouldn't do it. In Synagogue, one of my local rabbis handed me a copy of a paper put out by their Chief Rebbe in New York on the subject of gay rights legislation. The paper quoted the Rebbe in New York as terming homosexuality a deviant lifestyle and an abnormality not worthy of protection. He adamantly opposed the gay rights ordinance and the Rebbe said that such legislation denies homosexuals the right to be protected from themselves. Further, the Rebbe said it works to destroy society.

Can one possibly fathom the internal conflicts that I have experienced, to have my spiritual leaders, the individuals from whom I seek guidance in so many ways, tell me that what I am doing is wrong? It created turmoil inside of me.

On the holiest day of the Jewish year, Yom Kippur, the portion of the Torah that is read is from Leviticus. It says that man shall not lay down with man. It is an abomination and perversion, and the person who does it shall be stoned to death. But I cannot, I must not, permit my spiritual training or spiritual leaders to affect how I conduct my governmental functions. Yes, they improve my life, greatly, and I am a better person and better Councilman because of my increased spirituality.

From my rabbis I have learned that my life's purpose has been clearly

defined as far back as the revelation at Mount Sinai more than 32 centuries ago when we received the divine Torah. My people were ordained as a kingdom of priests and a holy nation and I have learned that what that means is that I must fulfill priestly functions and to lead a life according to the Torah. I must elevate myself and try to lead others.

But all of that cannot determine how I act relative to my sworn duty as a Member of Council of the City of Pittsburgh. Nor should any other person's training or religion or the position of any religious organization determine how any member of Council acts relative to his or her sworn duty. We are all citizens of the United States, no matter what our religion or religious beliefs, and we are all sworn to uphold the Constitution of the United States, including its amendments. And this document mandates that church and state be separate, and indeed, they must be. If they day comes when I no longer feel that way, I will walk out that door.

I believe I have addressed every reason I have heard propounded by opponents of the bill. If this ordinance is not passed, this Council will be saying, "Yes, people can still be fired because they are homosexuals. Yes, people can still be denied fundamental rights and freedoms because they are homosexuals. Yes, people can still be told to leave places open to the public, can still be refused a job or housing because they are homosexuals.

Is that what this Council wants to do? Does this Council want to align itself with some of those people who came down here to speak against this bill, some of those ugly, hate-filled people? Or does it want to follow the advice of those many, many people of conscience and compassion who testified for this bill.

Who were the people who spoke for the bill? They were our friends, people who know and respect and trust. People like Father O'Malley, like Molly Knox, like Jack Doherty, like Alma Speed Fox. They are people from our community, people who truly care about our City and its people. These are the people with whom Council should align itself.

Will the passage of this ordinance end hatred and prejudice? Of course not. People whose own lives are so desperate, so pathetic, so xitiful, will always have need of a group of individuals to persecute, to harass, to hate, to denigrate. This gives their lives a small degree of worth. Yes, there will always be hatred. For some reason, God has determined that is the case.

This past Saturday, ironically, we read the beginning of the Torah, Genesis, Chapter 1. In listening to the reading of the Torah, of the Beginning of Creation, I heard that out of hatred, Cain rose up and slew his brother Abel. Thus, man's inhumanity to man has been with us since the creation, since the first people put on this earth.

Dennis Prager has taught me that God constructed a world wherein there is good and evil. Would we prefer to live in a world where evil is impossible? Is being a good automaton preferable to being a free human being? Would we rather be loved by freely-choosing people or by love robots?

But this evil must be combatted, whenever and wherever it surfaces. Bigotry is like lymphatic cancer; it can appear in one place and be cut out and then turn up in another part of the body. But it must be excised wherever it appears.

In the past, it has been Italians, the

Irish, Jews, Catholics, Blacks, others who have been the victims of hatred and bigotry. I don't know where it will end up next, but there will always be hatred. As Thomas Jefferson said, "The price of liberty is eternal vigilance".

No, this bill will not end hatred. But I have several responses to that statement. The first is based on history. During the tumultuous civil rights period of the 1960s, there was a great deal of discrimination and ugliness in the United States Air Force. As a means of attempting to combat this persecution and prejudice, the Generals of the Air Force decided to send every single person in the Air Force through civil rights instruction, through sensitivity training, through race relations courses. And all the millions and millions of dollars and tens and hundreds of millions of man-hours that were spent on these race relation training sessions did not produce any benefit to the diminution of prejudice in the Air Force.

But one simple statement placed in the Air Force personnel manual, by accident, not with the intent of combatting racism, did more than all the training and dollars could have done before that. That one simple statement placed in the Air Force personnel brochure carried with it very serious ramifications. It meant no promotion, it meant no raises, it meant no advances in pay. And that one statement said that no individual would be promoted if he or she ever displayed discrimination against an individual on the basis of race. That was it. No promotion if you display discrimination.

That had real pocketbook and prestige significance. Individuals could no longer refuse to bunk with a Black, or to fly in the same plane as a Black, or to work in the same work station as a

Black. And what happened? Lo and behold, the barriers were broken down and the personnel of different races actually became associating with each other. They would go out drinking together. They would go out to eat together. They would go to each other's homes for the holidays. They actually became friends and race relations improved drastically. And it was all because of that one simple statement in the Air Force personnel brochure.

In many recovery groups, individuals are taught that they often must take the body and the mind will follow. In other words, before one can "come to", he or she must first "come". You have to "fake it 'til you make it".

More importantly, the passage of this bill will send a message loud and clear. The message will go forth that the City of Pittsburgh will not tolerate, will not accept, any discrimination of any kind against any individuals.

After this bill is passed - and it will be passed, if not today then in the not too distant future - after this bill is passed, in a very, very short time, people would look back and say, "What was all the fuss about? What was all the commotion, all the opposition?" This is as it always has been in these struggles.

It took 90 years to win women the right to vote. Susan B. Anthony never even lived to see it, and now we say, "What was all the fuss about?" It took centuries and the lives of millions and millions of Americans to win Blacks their civil rights, and now we say, "What was all the fuss about?" Why must there always be these struggles between the forces of progress and those seeking to keep people downtrodden? Haven't we learned our lesson? How many times must this struggle be fought?

On Wednesday, four members of Council voted against this bill. While I couldn't disagree more strenuously with Mr. DePasquale, his candor and honesty are somewhat refreshing. He is what he is and I appreciate being able to know exactly where he stands and why. At least he is not disingenuous, slippery or dishonest.

Today I appeal to Ben Woods and Otis Lyons. I know both of you to be men of compassion. I know that you care about your fellow man. Ben, you sat through almost every minute of that six and a half hour public hearing and heard almost every word, every story. Your presence there alone said a great deal to me and to others. You had to be moved by what you heard. These people poured out their hearts to you and asked for your help. How can you turn your back on them?

And, Otis, I know if you hadn't been in the hospital, you, too, would have stayed to hear every word, every story, and would have been equally moved.

Some have claimed that individuals choose to be homosexuals. I'm not an expert, but I do have some common sense. Why would anyone choose to be a homosexual? Is it such a great thing? Is it such a wonderful life? I guess one is either born a homosexual or maybe something happens in very early formative years to create it. I really don't know, but I am certain no one chooses it.

So, Ben, if one of your children or grandchildren, or Otis, if one of your nieces or nephews were born a homosexual, would you want them to be discriminated against? Would you want them to be discriminated against in housing, employment, in public accommodations? Would you want your loved one persecuted?

This bill is about people. It is about equality. It is about individuals who are treated as a lesser class, as unequal. It is about our brothers and our sisters.

Throughout my defense of this bill, I have quoted many, many great men and women. As one might expect, leave it to William Shakespeare, though, to present as dramatic and telling a testimony on behalf of this ordinance as could possibly be fashioned. His scene from "A Merchant of Venice" says it all. Applying the quotation to the matter at hand, the victim of discrimination talks about his tormentors: "He hath disgraced me and hindered me, laughed at my losses, mocked at my gains, scorned my people, thwarted my bargains, cooled my friends, heated my enemies. And what's his reason? I am a homosexual. Hath not a homosexual eyes? Hath not a homosexual hands, organs, dimensions, senses, affections, passions? Fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer, as a heterosexual is? If you prick us, do we not bleed? If you tickle us, do we not laugh? And if you poison us, do we not die?"

The passage of this bill will be a statement that the City of Pittsburgh says every man and woman is equal, no better and no worse. I pray this Council will have the decency and the compassion to say, "Yes, all Pittsburghers are equal". I pray this Council passes this bill.

Thank you.

**Mr. Coyne:**

Mr. Chairman, first of all, I'd like to have my comments brought forth for the Record from Wednesday's meeting.

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And I'd like to commend Councilman Pollock for what I think is one of the most eloquent addresses I've ever heard, if not here in Council but through my entire educational process. Also, I would just like to ask my Councilmembers, after such an impassioned plea and after such logical arguments to moral issues, to legal issues, to issues which are just basically right, to please support this bill.

**Mr. Ferlo:**

I made a lengthy explanation in the Committee session as to why this bill was needed and why I supported it, and I would like my comments brought forward here today.

(REMARKS ON FOLLOWING PAGES)



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(MR. COYNE'S COMMENTS ON BILL NO. 1302 - Wednesday, 10/5/88)

Mr. Coyne:

First of all, I would like to reiterate what Councilman Ferlo has said regarding the calls and letters that have come to my office. The majority of the calls and letters that I have received from residents of the City of Pittsburgh have been in favor of this bill.

This is an issue which I and I know my colleagues have reviewed thoroughly, and we have been inundated with many materials from both sides.

After thoroughly reviewing the issue, I believe it is nothing more than discrimination and that it is unjust and it is an unworthy practice from which our society cannot benefit, but can only have harm.

I think Mr. Pollock's amendment has gone to show that this bill is not condoning nor supporting any particular lifestyle, and I would like to add that my support for equitable treatment does not indicate unquestioning acceptance of everything about the lives of some people, nor should it suggest the moral endorsement of any possible sexual behavior on anyone's part. Rather, my position on this issue reaffirms my basic religious and American conviction that discrimination, discrimination of any type, is wrong for our society. What people do in the privacy of their own home is their business. Now, if you have discrimination against action, that is one thing, but discrimination against people for just being people is totally, totally wrong.

Father Lauer from the University of Notre Dame, who I know, has contacted my office also. He and I have discussed this issue. That being my alma mater, that being a strong Catholic institution, I feel religiously that I stand on a firm basis with this argument.

I would just like to close by reading from the Vatican letter for those who have issued religious differences to this issue. The Vatican letter of 1986, which was written by Joseph Cardinal Ratzinger in which he writes, "Homosexuals should not suffer from prejudice against their basic human rights and that they have a right to respect and justice. It is deplorable that homosexuals have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation wherever it occurs. It reveals a kind of disregard for others which endangers the most fundamental principles of a healthy society. The intrinsic dignity of each person must always be respected in word, action and in the law." I repeat the last phrase, "and in the law."

It is our basic responsibility to make sure that no one is discriminated against. I think there has been a misreading of this bill, I think it has been made to be a big deal, when really it is just reaffirming something that we should always have had in the first place.

Pittsburgh isn't the first city to do this. I think that we are just following what society wants us to do, and if you take the Post Gazette poll, what a majority of our citizens favor.

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Therefore, I strongly urge my colleagues out of compassion,  
out of respect for human dignity, to pass this bill.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

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(MR. FERLO'S COMMENTS ON BILL NO. 1302 - Wednesday, 10/5/88)

Mr. Ferlo:

Thank you, Mr. Wagner. Members of Council and to the public, a couple weeks ago we had an extensive public hearing here in these Chambers, and quite frankly, other than the Council pay raise and the stadium bond issue, it was probably the largest outpouring of individual citizens, both from the city as well as some who were not in the city in these Chambers. I think all of us have indicated to the public the fact that there is an outpouring of support and to some extent opposition to this bill. Each one of us in our own offices has received varying amounts of pros and cons to their particular offices.

In my office, both with the letters I have brought here today, which I have tallied, as well as the phone calls to my office, I can very clearly state much to the extent of what the Post Gazette survey indicated the other day, that the overwhelming majority of people, city residents, do support the legislation offered by Mr. Pollock.

I have found that the calls into my office as well as the formal letters that were written to me, out of 37 letters that I received, 13 were city residents, those people being opposed to the legislation. I feel very strongly that basically the majority of people in this city do support the legislation as drafted by Mr. Pollock, because they have an appreciation for the fact that there is a legitimate concern and a need for this legislation, legislation which does not provide any additional rights to people, legislation which basically protects and provides equal protection under the law. That is what we are to do as elected officials.

I cannot end my discussion on this bill without talking specifically about some of the specific letters that I have received, and I would ask, please, since this is a controversial bill, to allow me a few more minutes of time.

I want to read some of these letters, because, in fact, I feel that these letters can better articulate and more eloquently have expressed the need for such legislation.

We have an individual from the University of Pittsburgh who writes me that, "I live in the city and I work for the University of Pittsburgh. Where, on July 8, '88, the expansion of its non-discrimination statement was announced to the University community. My employer now prohibits discrimination on the basis of sexual orientation. I would hope my city would do likewise. I want equal protection for my neighbors and myself from this city." This is an individual woman who writes from the University of Pittsburgh. As Council is aware, the University being the largest employer in the City of Pittsburgh recognizing a need, responding to a concern.

We have a letter from Reverend McCall from the Pittsburgh Presbytery writing, "I am writing to express the support of the Presbyterian Church. When our denomination dealt with the issue of homosexuality in 1979, our general assembly called upon Presbyterians to work for the passage of laws that prohibit discrimination in the areas of employment, housing and public accommodations. The Pittsburgh Presbytery, the governing Church

body for the 68,000 Presbyterians in Allegheny County, reaffirmed that stance for our community in 1982, and called upon local governments, including City Council, to approve this legislation." Again the Pittsburgh Presbytery, no small organization.

We have a political letter from the 14th Ward Democratic Club in support of the legislation.

We have a very impressive letter from the United Electrical Radio Machine Workers of America, one of the large electrical workers unions in the country. "We in the labor movement are trained to understand that an injury to one is an injury to all. This simple phrase succinctly expresses the fact that a multi-ethnic, multi-religious society such as ours, what binds us together is not uniformity, but rather a commitment to respect the diversity of our citizens. Prohibiting discrimination on the basis of sexual orientation is not an endorsement of any particular lifestyle. It is the reaffirmation of the fundamental principles that allow us to live and work together."

There are a number of other unions, the Service Employees Union, Local 585, who spoke at the hearing in favor of the legislation. And I need not remind Council that they do represent city and county workers.

We have a letter from the Pittsburgh Chapter of the National Lawyers Guild. We have a letter from the public policy coordinator of the WYCA of Greater Pittsburgh, Jan Neffke, as well Margaret Tyndall, the Executive Director of the Allegheny Chapter of the YWCA. Both of them eloquently state in their letter and their testimony the public position and policy of the WYCA, no small organization, who supports the need for this legislation.

We have a gentleman, Mr. Williams, "There is no legitimate rationale for discrimination in employment, housing and public accommodation. Tolerance of differences among our people is a hallmark of our nation, a source of strength which we need to preserve."

We have a real estate agent who writes, "As a real estate agent and a resident of the city, I have a keen desire for Pittsburgh to grow and prosper. The passage of this amendment would enhance the image of this city as a progressive place to both live and work, and thus stimulate our city's future growth."

We have a letter from Rabbi Steindel from the congregation Beth Shalom who writes, "I understand the proposed legislation. It does not encourage, promote or advocate homosexual activity, but merely extends the protection of the law to yet another segment of our wide and varied citizenry."

We have a letter from an individual who writes specifically about the discrimination she has faced. And I quote, "I have been a target of harassment on the job as a result of co-workers suspecting that I was a lesbian. I have also had the painful experience of coming home to my apartment to find all my belongings piled on the sidewalk, evicted without notice because I had been seen only in the company of women," obviously urging the passage of the legislation.

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We have a Catholic nun from the Sisters of St. Josephs in Garfield who writes, "My understanding of God, my reading of Scripture and my prayer point only to God's love and concern for all our people, especially those who are most oppressed and powerless. I believe that Church members and leaders who oppose this proposed ordinance are doing so because of homophobia and for political reasons."

We have two women who write, who have lived together, "We are Pittsburgh homeowners, and we both hold responsible jobs. However, we both know that if it became common knowledge at either of our places of employment that we were gay, our jobs would be in jeopardy and our future advancement would likely be limited," obviously in support of the bill.

We have a letter from a medical doctor who writes, "With the advent of the AIDS crises, cases of avert discrimination against gays and others perceived to be gay have alarmingly increased. I fear daily for the loss of my job or home, since I know I have no legal recourse to fight this type of discrimination."

We have a Catholic Priest, a Professor from the University of Notre Dame. Reverend Lauer writes, and I quote, "My special interest in this ordinance comes in part from the fact that in the early '70's" he worked for the PERSAD counseling agency. "After some examination of the agency's constitutions and reputation, I agreed to serve as a consultant. That experience was extraordinarily eye opening. Until then, I had never realized how much oppression and discrimination members of sexual minority groups suffer in this city." He closes by saying that, "The Pittsburgh ordinance" -- and I think this is very important -- "that the ordinance has already been in affect to protect the rights of blacks, and women, and Jews and others. No one has argued that the ordinance was thereby supporting radical feminist claims, giving support to the black power, black Muslim movements, or implying approval for the radical Zionists. When the ordinance prohibited discrimination because of race, color, religion, ancestry, national origin, place of birth, sex, handicap, disability or blindness, reasonable people seem to interpret the law to mean a simple negative prohibition. Why are we now applying new implications and dangers, or why are they suddenly found in the heretofore clear ordinance when one new oppressed minority group is added?"

We have an individual who writes, and I state, "I am opposed to all forms of discrimination. To deny someone a place to live or work based on what they choose to do in the privacy of their own lives is simply unjust and wrong. An enlightened society must establish laws to protect all of its citizens."

We have another person who writes dealing with the issue of equal protection. We have a letter signed by young people, 75 law students, future attorneys from the University School of Law. We have a lengthy letter from Mr. Forrester of the PERSAD Center who write a lengthy interpretation of a specific struggle and an example of discrimination that this agency went through in trying to relocate their agency, an agency that I think has existed for at least more than a decade, has enjoyed not only community wide support, but public and private and federal dollars, an agency that had a hard time finding a place to rent because of the perception of the part of one landlord that they

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were going to be housing or the place would be frequented by individuals of AIDS. That is a case of discrimination, we should be concern about that.

We have a letter from the Rector from the Calvary Episcopal Church, a very large Church in the Shadyside community, the Reverend Arthur McNulty who writes, "I am aware that this debate will unfortunately encourage and engender even more polarities between conservatives and liberals, heterosexuals and homosexuals, the religious right and the religious center. However, beyond the demagoguery, I am convinced that basic human rights are at stake here. Sexual orientation should not be used as a front for prejudice against, fear of and/or insulation from other human beings." Again, a progressive Church leader from the Episcopal Church speaking out.

This is an individual, a gentleman, he and his wife have several children, they live in Garfield. "Unlike many others, I do not believe it to be a gay bill. It grants human rights and limits discrimination against certain minorities. I am also a practicing Roman Catholic, regularly attending St. Lawrence O'Toole Parish." He closes by saying, "I also believe that the Church's teaching should be guides for individual reflection and have no place in City Council considerations," a quote which I heard sometime ago from another colleague.

Another woman, a Sister, a nun, from the Roman Catholic faith states, "I am a Roman Catholic nun who has been assigned to Church ministry." She states that she and her religious superiors, the National Coalition of American Nuns, the National Conference of Catholic Bishops and a host of other Catholic leaders, have endorsed human and civil rights for homosexual persons.

I will close with two other brief ones. The Bloomfield-Garfield Corporation, a neighborhood based community development group in the city, a group I have worked with closely and many of us here on Council have supported, the President writes, "We, as a community based organization, would not only be hypocritical, but also untrue to our mission if we fought only certain kinds of discrimination and turned a blind eye to other kinds. The same can be said without reservation of our city officials. Issues like this one separate leaders from dealers." He quotes that, "The strength of our neighborhoods lie in their diversity and can be measured in direct proportion to the levels of acceptance, tolerance of differences, cooperation and sense of community. The Bloomfield-Garfield community, like every other city neighborhood, has many gay and lesbian residents. They are not imported, they are our sons and daughters, nieces and nephews, grandchildren and neighbors. They are every race, color and religion. They are voters and tax paying residents of the City of Pittsburgh, and they deserve to have this small measure of protection from discrimination and violence."

A gentleman, Mr. Kerrick, writes, "Although I do not live in the city, I agree with Martin Luther King that injustice anywhere is a threat to justice everywhere."

I will close by a gentleman, Mr. Hughes. "One thing that is very important for Council and the city to remember is that any rights bill does nothing more than validate those people who have been living and working in the city. It doesn't give anyone anymore rights than they ever had, it just makes sure that the rights they do have can never be taken away; that is all. Another important thing to keep in mind is when the gay rights bill passed in other cities in America, nothing happened. Lightning didn't strike, rivers didn't flood, the earth didn't open up and swallow mankind. As a matter of fact, most people just woke up the next day and went to work like they always did. I urge you to vote yes to the gay rights bill and validate the existence of the gay judges, and city workers, and doctors, and nurses, and teachers, and policemen, and firemen, et al., that love the city that they live and work in."

I think it is very clear that this ordinance, when you take away all the hype and all the things that people are reading into it, be it supporters or opponents of the legislation, is much ado about nothing. It is extending the rights and a privilege to a group of people. And I have talked to many colleagues privately and lobbied them on this issue, and I know personally you do not have the biases. I am asking you to search your hearts today and to support this legislation, because it really reflects the individual philosophy that I know all of you have in terms of how you deal with people in your family and your co-workers and your friends on a daily basis.

I think it is clear that on a differing note, that in the struggle against racism and the need for affirmative action that there are probably neighborhoods and large numbers of people that may not support individuals speaking out against racism, but that is no reason for to us repeal the civil rights legislation or non-discrimination clauses in our existing Home Rule Charter or the federal equal rights law.

Clearly, what we are asking for today is for some of us to take, for some, unpopular positions, but to stand up and provide some leadership. We got elected to City Council to provide leadership, and sometimes that means not always taking what some might feel is the most popular position. And I need only remind Council of controversial zoning matters and others where sometimes we have to stand apart from the crowd and do what we know is best for the city as a whole and not any one group in particular.

Again, I would ask Councilmembers to search your hearts, please think about the issue, and not all the hype and demagoguery and all the misinformation that has existed since the ordinance has come out.

I will just close by applauding Mr. Pollock and also our Mayor, Sophie Masloff, who says she is supporting this bill. But I would hope that between now and Monday that she will provide some additional leadership to support her own commission. Let's remember that it's the Human Relations Commission as represented by Director Gabriel and Alma Fox, a dear friend of mine, President of the Commission who overwhelmingly saw the need and proposed this language. Mr. Pollock has served as the vehicle for introducing the bill. It is the city's own Human Relations Commission that has come to

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this table with the plea, and that is to support this legislation. So I am asking my colleagues to please support this bill.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)



Mr. Ferlo:

Mr. President and members of Council, Mark and I have fought many battles in the past on many issues and, fortunately, we'll fight many battles in the future on many issues because often times we don't agree on administrative policies and various program ideas that we've debated in these Chambers. But I must admit, quite honestly, with a lot of pride, that I'm very proud of Mark today not only for his eloquent statement here today but also for his vigilance in defending, in explaining, and providing leadership to the ordinance that he has provided leadership with by introducing for members of Council to support.

I have to be very honest, though, quite frankly. It's a very sad day in City Hall. And quite frankly, as I look to my colleagues and to you, Mr. Woods, and other people I've developed friendships and relationships with since January 4th, I believe it's a sad day not only for our City but for the relationships and the respect that we've shown each other in this legislative body. It's, unfortunately, a day when personality politics is overruling reason and fairness. And, quite frankly, personality politics on this vote is ruling the day. I believe very strongly that reason and fairness and compassion and leadership today is being overshadowed and overruled by not only prejudice on the part of some, not only political opportunity on the part of some, but, quite frankly, myopic ignorance on the part of many.

It is very clear to me that a number of Councilmembers were not willing to participate in the dialogue to have a compromise to the existing amendment and the bill that received the four votes this past Wednesday. I'm disappointed that together we were not able to frame a compromise, as I had hoped that we were able to do.

Mr. Pollock gave a lengthy interpretation in the defense of this bill when he talked about the law and very clearly, members of Council and to the public, the law is on our side. Whether you quote the intent and elaborate on the opinion of the MacBeth decision, it's clear that the law is on our side. It is clear that facts are on our side, not only in the lengthy public hearing which, quite frankly, was the lengthiest and most productive and most energetic public hearing in the history of these Chambers where over 60 City residents of the 80 odd individuals who spoke in favor of the legislation were City residents. Of the very much smaller number of people who came out to speak in opposition, quite frankly, very few of them, a little over 15 of them, were not even City residents. So it's clear to me then in the expression of these Chambers the vast majority of people support this legislation. And I think it's quite clear in much of the testimony that was presented at that hearing, in addition to personal testimony that has been given through many of the colleagues here today, that the facts are there. There is discrimination in housing, in employment and public accommodation.

No piece of legislation, in the 15 years that I've been working on legislation in this Council, as a member since January 4th and as a community advocate prior to January 4th, has ever received as much broad-based support; not the plant closing law which had just as many people in the room. But nowhere was there as broad-based constituent support from a broad cross-section of the public, be they unions, priests or rabbis, or other religious leaders, neighborhood groups, social service agencies, personalities, leadership people throughout the City of all sorts of walks of life, nowhere was it more clearly expressed for this legislation than at the public hearing and

subsequent letters and cards and telegrams and personal visitations to Councilmembers. Nowhere has there been as broad-based support for legislation as has been demonstrated for the need for this bill.

Supposedly, the Mayor is on our side. Quite frankly, I'm disappointed at Her Honor for not showing more leadership. I've seen her behind the scenes walk down the hallway and get what she wants. It was done on other legislation within the last couple of months and it will be done on other legislation in the future. And I think, quite frankly, I would hold her accountable, partly, for this bill today because I know that she has the influence and the political power, if she wanted to use it, to swing a fifth vote. I know that not only in my heart, but I know that as a practical politician. I'm disappointed that she says she's for it but has not shown enough to muster the political wherewithal that I think the bill needs for a fifth vote today.

As I indicated last week, the Governor is on our side. Bob Casey, in January of 1988, altered the executive order in the State of Pennsylvania to specifically include sexual preference in his executive order on the issue of hiring and state employment. It's clear to me that the legislation since '82, it's already been passed in Philadelphia and in Harrisburg, they are on our side, not to mention 100 odd other communities that have been talked about. They are on our side. So, it's clear that not only do we have the law and the facts and the broad-based support, and supposedly the Mayor, and we have the Governor, but what are we doing in terms of showing lack of leadership to our own Human Relations Commission.

The Human Relations Commission, let's put this in perspective, Mr. Pollock

was the vehicle to introduce the bill, but it was the Human Relations Commission that we have been asked to support here today. They themselves have come to us, hat in hand, with an overwhelming indication that they would like this ordinance passed. They want the Code amended. We are turning our backs on an important unit of government here today, the Human Relations Commission. And I worry that if we're going to turn our backs on this, are we going to, Mr. Lyons, turn our backs if someone else comes to us and says that we should relax affirmative action and discrimination against people of color in this City? I hope that we will not. But I'm beginning to wonder whether or not people will be weak-kneed on that issue also.

If we do nothing else in these Chambers today, I believe very strongly that as elected officials we must fight to protect and enhance the diversity that we have in this City. We are a melting pot in this City, of all shapes and sizes and colors and creeds. And I think it's very important, as I've stated many, many times before, this bill does not provide any new rights for people. It quite frankly provides equal protection under the law. It doesn't do all the supposed things that all of the religious, right and the pro-Bush forces who came to the podium to beat the bill up were talking about. It doesn't do any of that. It provides equal protection under the law. And there was a time not too many decades ago when the Irish community was discriminated against as well as the Italian community. And if there's one thing I learned in my upbringing which is a working-class background with nine brothers and sisters, very clearly I was taught not to discriminate against people, and that we had to have mutual respect for everybody, whether you liked them or not. And that's what the heck this bill does. And it's very sad, quite

frankly, that we are not able to get a fifth vote from one of you on City Council here today.

I would just close by, once again, to my colleague, Council President Ben Woods. And I'll look you eye to eye, Mr. Woods. I know you, I've had beers with you in your restaurant and establishment, I've talked to you personally about many different issues in relation to this bill. I know you, quite frankly, and I'll look at you, to be someone who, quite frankly, supports this bill because I know who you are, I know what you're about and your place of business and your home and your friendships and your family. I know you do not discriminate against. I know, quite frankly, Ben, that you believe this bill is right. And what I'm asking you today is to please put the personality politics aside; we can fight those battles later. And please, Mr. Woods, support this legislation.

**Mr. Lyons:**

Mr. Chairman, sometimes in the erroneous belief of certain acts fit a category which require civil or constitutional protection, many fair-minded individuals will support a cause. On the surface it may appear to be the right thing to do.

I was one of those individuals who did not want to be against what appeared to be a protection of civil or constitutional rights. As a Black in America, I certainly understand fully the need for these protections, perhaps more than anyone else at this table.

The advocates of the bill equate their contention for a need for human rights with the acceptance of "Mom and apple pie". And who would be against these? It is the right, democratic and American thing to do.

However, after the public hearing and after an outcry from my constituents, I personally began to delve beyond the surface of the issue. And if you will permit me, I shall develop my own thoughts so that the public and my colleagues on this Council, both pro and con the legislation, may understand fully my reasoning.

The democratic form of government is based on the consent of the governed, which is true represented government. This consent is expressed in this constitutions, elections and also in public opinion. And those of us who wield power through legislation, as we City Councilmembers do, must be aware that all our power must be responsible and limited. Responsible, in that we must be certain that the legislation is appropriate, does not infringe on or diminish another's rights, and is needed. Limited, in that the legislation must be within the criteria established in the Constitution and within the jurisdiction of the Pittsburgh City Council.

I contend, after deliberate study, that the legislation is inappropriate, will infringe on others' rights, and is not needed. Further, as I explained last week, Pennsylvania law prevents Pittsburgh City Council from adding new protected classes to the human rights laws.

Within the Constitution there are special safeguards for individual rights, and these safeguards are guaranteed equally for every individual. They are not guaranteed for behavior or lifestyles but for individuals. No bigamist or polygamist who practices two lifestyles not accepted by the moral standards of our society is protected. But as individuals, their constitutional rights are safeguarded and protected.

May I remind some of my

colleagues also that dissent, whether by the minority or majority, is tolerated and even encouraged in the democracy for only through honest and responsible dissent is truth found.

Now this lesson in democracy and democratic action should not have been necessary in a legislative body where all of us work within the system at the consent of the governed.

It is unfortunate that I find it necessary to do so because of the specific actions and remarks of one of my colleagues, Councilman Pollock, who sponsored this gay rights legislation, as amended, because he professes to be fighting for human rights.

Yet, Mr. Pollock publicly demonstrated his displeasure with dissent by labeling those responsibly against the bill as being against human rights. There is nothing further from the truth. But his inflammatory language and aggressive gestures by hammering on the table is not conducive to good judgment nor appropriate behavior for a legislator of this City.

I personally have been the object of his displeasure. Mr. Pollock, according to the Press, stated that I was being used by my constituents, at whose consent I am permitted to govern; and that my constituents will not vote for a Black man. This statement was made publicly by a man who professes to fight for human rights and then demonstrates his own prejudices and attempts to attribute them to my constituents. I shall not permit this now or in the future.

Also because of my respect for those whom I represent, the advocates of this bill sent people door to door to get signatures in favor of the bill. Some people did not realize fully what was being signed. Others were not even

registered to vote. And others, fully informed, refused when my name was mentioned.

This effort to manipulate public opinion will not work. My constituents, for or against any legislation, contact my office or me personally with their opinion. I shall not be swayed by false numbers to vote for a bill which is not only flawed legally in the original, but which was made even more confusing and questionable by placing every sexual orientation label in the amended version.

Again, let me repeat that matters of one's private behavior in one's bedroom cannot be legislated. Attitudes cannot be legislated. Nor shall we legislate what appropriately should be private behavior, and make it public, thereby legitimizing that which is contrary to the moral standards of this extremely conservative city.

I personally shall fight for anyone whose rights are being violated by government officials, by police officers or by any groups of citizens. This I promise each of you, those citizens for and against the bill. But I shall not bend to legislate that which has no constitutional protection.

The argument that the legislators of two cities in Pennsylvania enact gay rights laws, therefore, Pittsburgh should pass a similar bill is faulty logic. I strongly believe that the legislation is illegal. In Pittsburgh, I shall vote for those laws which I sincerely feel are appropriate, constitutional and necessary.

Mr. Chairman, I thank you.

**Michelle Madoff:**

I have the flu and I have a fever of about 101. I thought I'd have to come in

with paramedics today, but there was no way that I wasn't going to be here.

Mr. Lyons, would you care to share with us the source of your statement which you stumbled over in trying to read, because, obviously, it wasn't prepared by yourself, as Mark's was prepared by himself.

**The Chair:**

I would like to remind my colleagues that we're going to keep this on a professional basis. No one has attacked you --

**Michelle Madoff:**

I'm not attacking him.

**The Chair:**

Then don't question his source of information.

**Michelle Madoff:**

I'll continue. I think Mr. Pollock gave one of the most eloquent presentations in support of his legislation than anyone could give. And I'm going to be very brief because I don't think I could add very much to what he said except to reinforce it.

This bill is not an endorsement of lifestyle any more than the Human Relation Commission endorses any religion or lifestyle. This bill simply stated addresses the fact that a segment of our population, a segment of voters, is not presently covered and is only aimed at providing protection against discrimination. If we condone any form of discrimination, we permit the rights of all to erode.

It is so transparent that those voting against this legislation are indeed

voting as they perceive their political interest to be.

Who says there is no discrimination, when a member of this City Council wants to know if the City hires queers? Martin Luther King must be turning over in his grave when a Black man on this Council votes for discrimination in any form.

And later, we're going to hear about what happened today in our board room, back room - I'm not allowed to refer to it as backroom politics - how a woman was blatantly discriminated against in a vote for replacement in our Budget Office. It starts with the same people who are voting against this bill and I think it just never ends. We've got to stop discrimination.

**Mr. Wagner:**

Mr. President and members of Council, Bill No. 1302 has been talked about for some time. Obviously, it has become an extremely emotional issue. In government, the emotional issues are many times the most difficult issues and many time people say, and they're probably accurate, that it relates to politics to some degree in that you can't win or you can't lose on an emotional issue. It's either/or and sometimes you don't know which. Therefore, this issue has become, I think, a very controversial issue in the public eye and also here on this Council.

I've tried to study this issue from what I perceive to be, when I first heard of it, and maybe when all of you first heard of it, and I must say that when I first came on Council four and a half years ago I was approached by two representatives from the homosexual community and asked to submit a bill of this type. I said at that time that I would not. However, I said that if

another Councilmember were to submit it, I would look at it and I could not tell them at that time how I would vote on that piece of legislation until I were to see it in front of me.

Well, obviously, about four years went by until discussion of this bill became public. The first time discussion of the bill occurred was recently after Valentine's Day of this year. There was a raid on the Traveler's Club, a homosexual gay club, on February 14, 1988. A public hearing occurred shortly after, actually the exact date was April 12, 1988, in regard to that raid by our Public Official's Police and Fire Bureau and also LCB personnel. We sat through a lengthy hearing, and I have the testimony in front of me, and it was a very emotional hearing. At the hearing many people indicated that the club was unjustly raided and the people in the club were not treated fairly. I went and I investigated the information that was provided at the hearing and I found out that it was the 87th bar or club that was raided by our Public Safety personnel. I found out yes, it was raided that day, and it was raided at 5:00 in the morning. The reason for the raid was complaints about the club. The raid determined that the club was operating at 5:00 in the morning, two hours after legal closing time, and also other discrepancies in the club such as exit doors that were blocked and locked. Now, at that hearing, Councilman Pollock and several other Councilmembers talked about the need for this legislation and that was the first time I heard this legislation talked about in the public forum.

I should say that since that time there has been no charges brought against any member of the Police or the Fire Bureau to the Office of Professional Responsibility by anyone as a result of that raid. It's important to state that because that has not been on public

record. There was also a court case filed to get an injunction to prevent further raids at the club. The courts did not grant that.

As time moves on, the hearing was April 12th, this Council, every Councilmember, the present members of Council, received from Councilman Pollock the following day a letter suggesting the elimination of the Human Relations Commission within City government. Following that, on June 1, 1988, the Human Relations Commission took a vote to amend the City Human Relations Ordinance, and it passed unanimously, I must state, and we have the Chairperson of the Human Relations Commission with us today. That was back in early June.

Now, this legislation was talked about, Councilman Pollock, going back I think to July when it became a public issue. I never commented on the legislation because I had not seen the legislation and it was never submitted to this Council until after Labor Day in September. It was submitted in early September and since that time there has been much discussion, obviously, on this legislation. Obviously, we had a six hour public hearing that was talked about. I think every Councilmember has been inundated with phone calls, with letters; every time you go out into the public someone is talking with you about this legislation.

After receiving the legislation, the first thing I did, and my staff, was that we took a look at what was proposed to be amended. We all have the bill in front of us. And I went to Article 5, Discrimination, in the Pittsburgh Code, and I looked at what Mr. Pollock was suggesting should be amended. In that, under Legislative Findings, for the sake of the public, the change in the legislation was actually very simple;

simply adding the words "sexual orientation" in there with other classes such as "race, color, religion, ancestry, national origin, place of birth, and sex," and right after that, "sexual orientation". That word was added, and then that word and the definition fits into other sections of the Code to include it. That is the bill in front of us today. And basically, what the bill talks about is including sexual orientation in employment, in housing, and public accommodation.

So, I looked at the Code and I said, what is employment? How does the Code define employment? I'm going to read it. Under C: "Discrimination in employment prevents the gainful employment of large segments of the City, tends to impair the City's productive capacity, reduces the public revenues, imposes substantial financial burdens upon the public for relief and welfare, intends to create breaches of the peace and depressed living conditions which breed crime, vice, juvenile delinquency and disease, and is detrimental to the public's safety, economic growth and general welfare of the City of Pittsburgh." We are suggesting to amend, under employment, sexual orientation, according to that definition that I just read.

In reading that definition, in laymen's terms I keep thinking, in employment, and I said it last week in a news release and I'm saying it again, what I looked at was, try to determine based on all public information. Is there unemployment or underemployment in the City of Pittsburgh with homosexuals at a rate equal to or greater than the general population. I asked that question before and I'm asking it again. The unemployment rate in this City is 5.5 percent for the general population. For other segments of the population, many of which are part of this Code already, it

is higher. For Blacks it's 10 percent. For women in underemployment, I'm sure it's much higher than men. For certain other races also, it's much higher.

I ask the question today, which I asked before, is unemployment or underemployment for homosexuals greater than the general population. That question has never been answered because it is not. That's the reason why it has not been answered.

As you continue to read through the Code, you look at definitions for discrimination in housing, and also definitions for discrimination in public accommodation. I'm not going to read those because they're rather lengthy. But I do know that I have had excessive numbers of people contact our office in support of this legislation. Repeatedly we asked where they live and they say they live in the City of Pittsburgh. If they live in the City of Pittsburgh, they're finding housing in the City of Pittsburgh. They say they're work in the City of Pittsburgh; they're employed in the City of Pittsburgh. But it all goes back to the basic question, is there unemployment or underemployment at a rate greater than the general population. The sponsor of the bill and others have not been able to prove that.

It has been said, I'm sure about me, that questioning the legality of the bill is a sham and those questioning it are worming out; that was the term used. The reason why I brought up the other issue first, I wanted to state that was the major issue in terms of my evaluation on how I voted on this bill. On each and every piece of legislation that comes in front of this Council, this Council is committed to look at the legality of the legislation. It should look at the legality of the legislation and Mr. Pollock is right; sometimes this Council has passed legislation that may not be legal. But

still we should look at the legality of the legislation. And I did. And I called the Solicitor of the Human Relations Commission and I spoke with our City Solicitor. The Solicitor of the Human Relations Commission was never formally asked by the Commission for a formal legal opinion. And it was stated by the Chairperson, Alma Speed Fox, that there are questions about. But this Council has an obligation at least to ask our own Solicitor about the legality of this legislation. I did, and I showed him an earlier statement about a similar type of proposed ordinance going back five years ago. In his opinion, the City of Pittsburgh cannot supersede State legislation. That was his opinion. However, the sponsor of the bill has never asked for a legal opinion on the bill because everyone is afraid to get a legal opinion on the bill. I still say today that a legal opinion should have been sought immediately when this legislation was submitted. And I know many members of this Council have said we should have our own legal advisor; that's 100 percent accurate because every bill that is submitted by every Councilmember should have a legal opinion. And that should go out prior to us voting on any bill that we vote on in this Council.

I recently submitted a bill, a very simple bill, relating to whether or not the Mayor can hold the position of Mayor and Councilmember at the same time. The sponsor of this bill tore my bill apart on legalities, but yet refuses to get a legal opinion on this piece of legislation. And all that could do, if the legal opinion was in favor of the legislation, would be to support the legislation. So, I think, in good conscience, a legal opinion should have been suggested; it should have been asked for by the Solicitor and it should have come.

I stated earlier that in good

conscience I can't support this legislation. I still feel that today. I feel I have made the right decision for a couple of reasons and I have attempted, to the greatest degree possible, to keep emotionalism out of this issue because it is such an emotional issue. I voted no last Wednesday on the bill; I'm voting no today. Thank you.

**Mr. DePasquale:**

Mr. President, certain civil libertarians excuse certain crimes on the grounds that they may have been brought on by discrimination. The raid on the Traveler's Club comes to my mind. Such was the cry, especially from the civil libertarians, that this raid was made because they were gay, not that they were out there until five in the morning exceeding the law by two hours as far as drinking was concerned, not that minors were drinking and whatever else was going on, but they were discriminated against and that's why they were raided. The also said that many of them were beat up, many of them harrassed. The only report, and I think my colleague brought most of it out but he didn't mention the only report that was made of an injury that was made that night. The only person that was injured in that whole raid was a policeman who was thrown down the steps and broke his arm. That's the only report that was made.

I'll make one other point and then I'll keep quiet and I hope we vote on this issue and get it over with one way or the other. I come from the Panther Hollow section of Oakland. I don't know how familiar you people are with Panther Hollow; Panther Hollow is probably the lowest point of elevation in the City of Pittsburgh. It's down below the old ballpark, old Forbes Field. It started around Bates Street and Bouquet and on down into the Hollow and it runs half



way to Greenfield. During the Depression, the early '30s, it was one of the poorest sections in the City of Pittsburgh. Outside of three or four Jewish families who lived in that area, all the rest were Italo-Americans. Not one person from that area, in the height of that Depression, and believe me, no one had it tougher, ever went to jail. And believe me, they were discriminated against. If I told you some of the stories of discrimination, you wouldn't believe them. But we overcame that discrimination because we had a cause and a reason to. If somebody wants to look the records up, anybody in this room, no one in the '30s, in the Depression, went to jail from the Panther Hollow area and, I repeat, no one was more discriminated against than those people.

**Mr. Pollock:**

I just have a brief comment. To Mr. Wagner I can only say, "There you go again." I think that it should be said that Mr. Wagner can run but he can't hide. He asked about questions about this bill that weren't answered. He asked about discrimination that wasn't shown to him. And yet, despite repeated requests over the past few weeks, he has refused to sit down and meet with representatives of the gay community. Not once did he allow them in his office to answer any questions he might have, for them to support this legislation. What kind of openmindedness is that, to not even allow them to speak to you? So he can run but he can't hide. What we heard was lies and deceit and sham and fraud and obscenities.

This bill has nothing to do with the raid on the Traveler's Club. My request to the Human Relations Commission came before the raid on the Traveler's Club. The raid on the Traveler's Club was just another thing that occurred

after I had already started this ball in motion.

It is said that eyes are the windows to the soul. And when the many people who testified in support of this bill, when the people of Pittsburgh with compassion and conscience look into the eyes of Mr. Wagner and other opponents, they will know exactly what they are looking at and all of the words in the world won't change that.

Call for the question.

**Mr. Wagner:**

Mr. Woods, may I comment?

**The Chair:**

Go ahead, but this is the last comment.

**Mr. Pollock:**

You've always said that the proponent of the bill speaks last.

**The Chair:**

Go ahead, Mr. Wagner.

**Mr. Wagner:**

I'd like to respond. Mr. Pollock has had the floor twice and I'll take the floor twice.

Unfortunately, the sponsor of this bill, not only with this bill but every bill, tries to be personal on bills. I have tried repeatedly not to be personal on a piece of legislation, but my colleague has called the people that oppose this bill bigots, liars and has used other terminology of which I'm not going to use. That's very unfortunate. You've not only done it with Councilmembers but also members of the public and even

members of the clergy. I have listened to it on the radio, I have watched it on TV, and I am hearing it again.

Now, you can sit there and you can tell lies, but you're not going to tell them to me and let me not comment on them. We have taken every single phone call that has come to our office. We have not met with every group and every individual, that's right, because if we did it would take literally months upon months to meet with them. But we've taken every call, we have read every letter and every piece of literature that comes to this Council on this issue. Unfortunately, Mr. Pollock, you continually try to dispute the truth and you've done it repeatedly on this issue, repeatedly, time after time after time. And I have asked you for basic information on the issue, and you don't have it. It's that simple. You don't have any supporting information. And that's very unfortunate and it's very unfortunate that you continually try to be personal on an issue and you don't stay on the issue.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|           |                 |
|-----------|-----------------|
| Mr. Coyne | Michelle Madoff |
| Mr. Ferlo | Mr. Pollock     |

AYES 4                      NOES 4

**VOTING NO:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**The Chair:**

Due to the outburst of the crowd, this meeting is adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Tuesday, October 18, 1988 No. 40

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk  
Pittsburgh, PA  
Tuesday, October 18, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

Mr. DePasquale, would you present this, please?

##### Mr. DePasquale:

If I may, would Dr. John Raves, Patty Howman, Scott Diederek and George Underwood come up to the front, please?

##### The Chair presents

No. 1519 WHEREAS, on September 22, 1988 Allegheny General Hospital celebrated its tenth anniversary of the Life Flight Program; and

WHEREAS, The Life Flight has flown more than 14,000 missions and logged nearly 2 million lifesaving miles over the past ten years; and

WHEREAS, currently, the Life Flight averages 183 patients each month, transporting critically ill or injured persons for approximately 205 hospitals, hundreds of ambulance services and industrial sites in a 130 mile radius; and

WHEREAS, Life Flight saves trauma, burn, stroke, heart, and OB/GYN patients every year who would not have survived without the expertise of the synchronized team of specialists who are available at the hospital 24 hours a day, seven days a week; and

WHEREAS, the dedicated personnel

of Life Flight include physicians, nurses, pilots, mechanics, and dispatchers; and

WHEREAS, on October 21, 1988, Allegheny General Hospital will hold its staff appreciation day.

NOW, THEREFORE, BE IT RESOLVED, that the Council extends congratulations to Allegheny General Hospital on its Life Flight Program's ten year anniversary and further commends all staff members at Allegheny General Hospital and acknowledges the experience and dedication of these individuals who devote their lives to saving the lives of others.

Mr. DePasquale moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. DePasquale:

If I may, we have three representatives here today who will speak about this wonderful program; they can tell you more about it, certainly, than I can. All I know is that it's a great program and it's working, but the ins and outs will have to be told to you by the people here today.

Dr. Raves, for some reason or another, just couldn't make it or he would have been here. But Patty Howman, Supervisor of Flight Nurses, is here; Scott Diederek, Operations Coordinator; and George Underwood, Pilot, are here.

Mr. Diederek:

Thank you very much. We appreciate the recognition. On behalf of the entire Life Flight team and Allegheny General and Dr. Raves,

unfortunately, could not be here today, patients tend to get in the way of the physicians, we appreciate the recognition. We'll carry your good words back to all of our team members and, members of Council, we thank you very much.

The Chair:

Thank you very much.

Mr. Ferlo:

If we could call up Leslie Reicher from the Eastside Alliance as well as Carolyn Hook and Rose Wonizak.

This resolution, members of Council, is being submitted by myself and my colleague, Mr. Lyons, and Mr. Pollock also.

Mr. Ferlo, Mr. Lyons and Mr. Pollock present

No. 1520 WHEREAS, the "Eastside" is a new destination marking the cooperative spirit between Bloomfield, Garfield, Lawrenceville and Polish Hill; and

WHEREAS, the Eastside Alliance is a coalition of the following 19 organizations: Bloomfield Garfield Corporation, Bloomfield Lawrenceville Lions Club, Bloomfield Lawrenceville Lioness Club, Friendship Baptist Church, Garfield Jubilee Association, Lawrenceville Business Association, Lawrenceville Bloomfield Garfield Ministerial Association, Lawrenceville Bloomfield Meals on Wheels, Lawrenceville Citizens Council, Lawrenceville Development Corporation, Lawrenceville Historical Society, Penn Merchants Triangle, Polish Hill Civic Association, St. Augustine Church, St. Francis Health System, St. Mark A.M.E. Zion Church, St. Mary's Church, Trinity

Baptist Church, West Penn Hospital; and

WHEREAS, these neighborhoods are working together to keep their communities vibrant places for young and old to live and work; and

WHEREAS, the Eastside Alliance was formed with initial support from St. Francis Hospital and West Penn Hospital and was created because each neighborhood could be stronger if they worked together; and

WHEREAS, the Eastside Alliance will work on such concerns as housing, employment, and health care; and

WHEREAS, the Eastside Alliance is currently working on such projects as helping homeowners keep their properties attractive, using City loan programs for needed repairs, trying to link residents with jobs right in their own backyards, and helping to keep older residents in the neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares the week of October 17-24, 1988 as "Eastside Week"; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends Eastsider of the Year Ann Davis and these 16 Volunteers of the Year: Mary Clancy, Theresa Finizio, Lion Emil Lucente, Joanne Monroe, Tony Finizio, Tom Staresinic, Carolyn Hook, Garry Pyles, Joe Paski, Frank Novasel, Lena Hotujec, Adolf Schwarz, Georgia Sanders, Catherine Owens, Willie Pearl Williams, and Ruth Say. All awardees will be honored at the Eastside Alliance dinner on October 21st.

Mr. Ferlo moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Ms. Riker:

On behalf of all of our organizations, West Penn and St. Francis Hospital, and for all the volunteers that are going to be honored this Friday night, I'd like to thank all of you for this.

Ms. Hook:

I'd just like to say that we have a symbol of that cooperative spirit in the Eastside Alliance. Rose Wonizak who is our President, and Gene Galiardi who represents the Lawrenceville Development Corporation in the Eastside Alliance, just got engaged to be married and they met each other through the Eastside Alliance. So, if we can forge partnerships like that, we're going to knock things out.

The Chair:

Thank you very much for coming.

Mr. Ferlo:

For this next resolution I'd like to invite up here Bob Raybar, President, Doug Goodwin, Stacy Salamer, who are with the Jaycees.

Mr. Ferlo presents

No. 1521 WHEREAS, the Greater Pittsburgh Jaycees are a chapter of the Pennsylvania Jaycees who have been serving our community through their fund raising efforts on behalf of local charities and their leadership development programs, and

WHEREAS, the United States Jaycees believe in developing the whole member through the total Jaycee concept to provide the leaders of tomorrow, and

WHEREAS, the United States Jaycees recognize that the future of our communities lies in the hands of our young adults, and

WHEREAS, the Greater Pittsburgh Jaycees has a lasting commitment to its neighbors in the City and will continue offering quality Individual Development programs to men and women between the ages of 21 and 39, and

WHEREAS, the Jaycees provide leadership and community service opportunities to its members in all 50 states and nearly 100 countries worldwide, and

WHEREAS, Pittsburgh has been chosen by the United States Jaycees as the pilot city in an innovative corporate recruiting drive, inviting more young men and women to participate in the Jaycee concept.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Pittsburgh that the week of October 17th shall mark the beginning of the Pittsburgh Jaycees Corporate Recruiting Drive and that the Council extends a welcome to the state and national officers of the United States Jaycees.

Mr. Ferlo moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Raybar:

Thank you, Councilman Ferlo, and thank you other members of Council for recognizing our efforts here in the City of Pittsburgh.

Through the involvement of young adults in our communities and residents of our neighborhoods we can further our

objectives and guarantee the future of our city.

We are your neighbors and we'd like to extend an invitation to the residents who are between the ages of 21 and 39 to join us in our efforts to make our community the best place to live. Thank you.

Mr. Ferlo:

Members of Council, I want you to know also that Bob, when he's not doing his volunteer work with the Jaycees is one of our paramedics in the City. Thank you.

The Chair:

Thank you.

Mr. Ferlo:

Mr. Chairman, I'd like the City Clerk to read this next resolution and, rather than discuss it now, I think there will be some comments at the end of the meeting by Mr. Coyne and Mr. Wagner.

Mr. Ferlo presents

No. 1522 WHEREAS, local governments, including counties, cities, boroughs, towns, townships, and school districts, are facing increasing fiscal pressure from all sides; and

WHEREAS, local tax bases are continuing to erode; and

WHEREAS, the current local tax system offers no opportunities to address these problems; and

WHEREAS, in recognition of the potential financial crisis facing the various political subdivisions of the Commonwealth, the Governor of the Commonwealth of Pennsylvania, the

Honorable Robert P. Casey, has called a special and extra-ordinary session of the General Assembly to consider comprehensive local tax reform legislation; and

WHEREAS, both chambers of the General Assembly have passed local tax reform legislation which is soon to be presented to a House/Senate Conference Committee; and

WHEREAS, the Special Session will adjourn at the end of the day, November 30, 1988.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby call upon the members of the General Assembly to pass on or before November 30, 1988 legislation addressing the following objectives of comprehensive local tax reform; as originally expressed by the Pennsylvania Local Government Conference:

- Increase the fairness and equity of the current property tax system;
- Increase the flexibility and equity of the local tax structure in recognition of diverse local conditions;
- Provide alternatives to nuisance taxes, and in particular the occupation assessment tax;
- Provide a means for local government to recover from significant decreases in federal funding;
- Address the inadequacy of the local tax base in distressed local government.

Mr. Ferlo moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Coyne presents

No. 1468 Resolution providing for the issuance of a warrant in favor of Reynolds Polymer Technology, Inc. in the amount of \$11,400.00 in partial payment of an emergency contract for the design and construction of a Coral Reef at the Aqua Zoo; and providing for the payment thereof. Charging the same to Code Account EC 88-30, 4-13-60-1240-88, Index Code #353656.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1469 Resolution providing for a contract or contracts, or use of existing contracts, for Renovation of various Senior Citizen Centers and Recreation centers, including but not limited to vandalism damage at Cowley Goettman; and providing for the payment of the cost thereof, chargeable to and payable from Code Account EC 86-66, 4-13-74-1748-86, Index Code #323188, at a cost not to exceed \$50,000.00.

Also,

No. 1470 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for himself to meet with the Federal Energy Regulatory Commission, Washington, D.C., October 17-19, 1988, at a cost not

to exceed \$400.00, payable from Code Account No. 1482, Misc. Services. Permission is also requested for use of a City vehicle. Prior approval granted by Council October 7, 1988.

Also,

No. 1471 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Joseph Tumas and Joseph Semieraro to have a final viewing of the fabrication and assembly of the new Bridge Inspection Truck, Duluth, Minnesota prior to delivery, October 11-13, 1988, at a cost not to exceed \$225.00, payable from Code Account No. 1482, Misc. Services. Prior approval granted by Council October 6, 1988.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presents**

No. 1472 Resolution transferring the aggregate amount of six-hundred and ninety thousand dollars (\$690,000) from various Departments of Public Safety Code Accounts, Code Account 49, and Code Account 41, Department of Finance, to Code Account 1443-3, Premium Pay, Bureau of Police.

Also,

No. 1473 Resolution transferring the aggregate amount of nine-hundred and forty-five thousand dollars (\$945,000) within various Department of Public Safety Code Accounts, Code Account 49, Code Account 41, Code Account 53, and Code Account 1608.

Also,

No. 1474 Resolution transferring

the aggregate amount of one-hundred and eighty-nine thousand dollars (\$189,000) within various Department of Public Safety Code Accounts.

Also,

No. 1475 Resolution transferring the aggregate amount of three-hundred and eight thousand dollars (\$308,000) from various Department of Public Safety Code Accounts, Code Account 49 and Code Account 53.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1476 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Ralph Jedrzejewski to attend a course entitled, "Arson for Profit - For State and Local Investigators" at the National Center for State and Local Law Enforcement Training, Glynnco, Georgia, October 24, 1988 - November 4, 1988, at a cost not to exceed \$655.00, payable from the PSTA Code Account, Bureau of Fire, Department of Public Safety. Prior approval granted by Council October 11, 1988.

Also,

No. 1477 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Daniel Quinlan, William Valenta and Paul McComb to attend the Organized Sexual Exploitation Conference at the Hyatt Pittsburgh, Chatham Center, October 31, 1988 - November 4, 1988, at a cost not to exceed \$120.00, payable from the PSTA Code Account, Bureau of Police, Department of Public Safety.

Also,



No. 1478 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Robert Kennedy and Gregory Tutsock to attend the Ambulance Service Managers Conference, Indiana, Pennsylvania, October 19-20, 1988, at a cost not to exceed \$180.00, payable from the PSTA Code Account, Bureau of Emergency Medical Services, Department of Public Safety. Permission is also requested for use of a City vehicle. Prior approval granted by Council October 7, 1988.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presents**

No. 1479 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Sixty Thousand and One Hundred (\$60,100) Dollars in favor of Chambers Development Co., Inc., John Rangos, Jr., Vice President, for payment for the Rental of Drop Boxes and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal. Funds are available in Code Account 1612-5, Index Code 161257, Rental of Equipment, Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1480 Resolution vacating an unnamed way between Los Angeles Avenue and Vodeli Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 1481 Communication from Louis Gaetano, Director, Department of

Public Works, requesting authorization for Kevin Sweeney to attend Network 88, Dallas, Texas, September 27-28, 1988, at a cost not to exceed \$995.00, payable from Code Account No. 1502, Miscellaneous Services. Prior approval granted by Council August 15, 1988.

Which were read and referred to the Committee on Public Works.

**Mr. Lyons presents**

No. 1482 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) Regular and Special Meetings by changing the day of the Regular Meeting of Council, from Monday at 2:00 p.m. to Tuesday at 10:00 a.m. —(SPONSORED BY MR.. LYONS)

Which was read and referred to the Committee on Finance.

Also,

No. 1483 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$205,000 for Loan Repayment Funds from the Giant Eagle Urban Development Action Grant (UDAG); \$75,000 of Loan Repayment Funds from the Gateway Clipper UDAG; and \$120,000 of Loan Repayment Funds from the South Aiken Offices UDAG for the Community Development Investment Fund.

Also,

No. 1484 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$200,000 of Loan Repayment Funds from the Station Square Urban Development Action Grant for the Streetface Program.

Which were read and referred to the

Committee on Planning, Housing and Development.

**Mr. Pollock for Michelle Madoff presents**

No. 1485. Resolution transferring \$60,000 from C.A. 1980 (198002), Salaries, Distribution Division, Department of Water, to C.A. 51 (0051-08) Postage, Department of Finance.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1486 Resolution providing for the transfer of \$659,265.00 from C.A. 1922 (192203) Misc. Services, Department of Water, to C.A. 1154-1 (115410) Rental of Motorized Equipment and C.A. 1132-2 (1132-25) Telephone Expenses, Department of General Services.

Also,

No. 1487 Resolution providing for the transfer of \$15,000.00 from Code Account 1920 (192005), Salaries, Adm. Div., Department of Water, to Code Account 1923 (192302) Supplies, Adm. Div.

Which were severally read and referred to the Committee on Finance.

**Mr. Pollock presents**

No. 1488 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Forty-Six Thousand and Eight Hundred (\$46,800) Dollars in favor of Chambers Development Co., Inc., John Rangos, Jr., Vice President, for payment for the Rental of Drop Boxes and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal. Funds are available in Code Account 1142, Index Code 114207, Miscellaneous Services, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1489 Resolution amending Resolution No. 168, effective March 30, 1988, to read as follows: That the Director of the Department of General Services, on behalf of the City of Pittsburgh, is hereby authorized to request proposals, and to award and enter into a professional services agreement or agreements for the purchase of fuel for City owned vehicles at a cost not to exceed Two Hundred and Fifty Thousand (\$250,000) Dollars. Funds are available in Code Account 1144, Index Code 114405, Gasoline and Diesel Oil, Department of General Services.

Also,

No. 1490 Resolution providing for the letting of a contract or contracts, or the use of existing contracts, for the purchase and installation of Work Stations, etc. for the Department of General Services, at a cost not to exceed \$24,700.00, payable from GS 86-01, Retrofit of Public Safety Building.

Which were read and referred to the Committee on General Services.

Also,

No. 1491 Resolution authorizing the participation by the City of Pittsburgh in Pittsburgh Crime Stoppers, Inc. —(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner presents

No. 1492 Resolution authorizing the transfer of twelve thousand dollars (\$12,000.00) from Code Account 1064, Index Code 106401, Supplies and Materials, to Code Account 1067-9, Index Code 106799, Worker's Compensation, Department of Finance.

Also,

No. 1493 Resolution providing for the transfer of a total of forty-three thousand dollars (\$43,000.00) from Code Account 1060, Index 106005, Salaries, to the following code accounts: sixteen thousand dollars (\$16,000.00) Code Account 1063, Index Code 106302, Miscellaneous Services and twenty-seven thousand dollars (\$27,000.00) to Code Account 1066, Index Code 106609, Equipment.

Which were read and referred to the Committee on Finance

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1494 Resolution providing for the issuance of a warrant to Jeanne Marie Franz, in the amount of \$25,000.00 in full settlement of claim for personal injury, due to the defective condition of the Phillips Park Pool, Carrick, PA, payable from Code Account No. 46, Judgments.

Also,

No. 1495 Resolution providing for the City Controller and Director of General Services to enter into a contract or contracts, or for the use of existing contracts, to purchase and install work stations and various office equipment for the Controller's Office, not to exceed \$40,000.00 chargeable and payable from Code Account 1051, Index Code 105106, Equipment.

Also,

No. 1496 Communication from James Turner, Director, Department of Finance, requesting authorization for Bettinae Goldberg, Daniel Foecking, Barbara Zentek and Robert Yakich to attend a one-day seminar on "How to Improve Your Collection Techniques", Radisson Hotel, Monroeville, Pennsylvania, November 14, 1988, at a cost not to exceed \$640.00, payable from Code Account No. 1063, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

The Chair presents

No. 1497 Resolution transferring the aggregate amount of \$575,000 to various code accounts from Code Account SPP (254359), Special Parks

Programs the amount of \$65,000 and from Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$510,000 in the Department of Parks and Recreation.

Also,

No. 1498 Resolution transferring the amount of \$15,000.00 from Code Account 1003, Misc. Services, City Clerk's Office, to Code Account 1006, Equipment, City Clerk's Office. — (SPONSORED BY MR. WOODS)

Also,

No. 1499 Resolution providing for the issuance of a warrant in favor of NBI in the amount of \$14,775.00 for the purchase of an NBI Model 12 laser printer for the City Clerk's Office, without previous authority of law, chargeable to and payable from CA 1006, Equipment, City Clerk's Office. — (SPONSORED BY MR. WOODS)

Which were severally read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

Also,

No. 1500 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Fourteen Thousand and Three Hundred (\$14,300) Dollars in favor of Chambers Development Co., Inc., John Rangos, Jr., Vice President, for payment

for the Rental of Drop Boxes; and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal. Funds are available in Code Account 1801, Index Code 180109, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 1501 Resolution providing for the issuance of a warrant in favor of J. Lawrence Dunn, VMD in the amount of \$1,249.15, for services rendered in the treatment of the dolphin at the Pittsburgh Zoo, payable from Code Account No. 1852, Miscellaneous Services, Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 1502 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the Market Value of securities pledged as collateral by City Depositories as of July 29, 1988.

Also,

No. 1503 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and market value of securities pledged as collateral by the City Depositories as of August 31, 1988.

Also,

No. 1504 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss Council Bill No. 1454, concerning the "Pre Bid Specification". (This petition is valid in accordance with Section 320 of

the Home Rule Charter.)

Also,

No. 1505 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss prompt payment of performance fees to entertainers and entertainment groups for performances at various festivals, concerts, etc. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which were severally read, received and filed.

#### UNFINISHED BUSINESS

##### The Chair presents

No. 1506 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 454, authorizing the City Treasurer to allow a "check-off" box allowing for donations to the Emergency Food Trust Fund.

Which was read, received and filed.

##### (MAYOR'S VETO LETTER)

October 17, 1988

Honorable President and Members  
City Council  
City of Pittsburgh

RE: Council Bill 454

Dear Mr. President and Members:

I am returning as vetoed Council Bill 454 which authorizes the City Treasurer to allow a "check-off" box allowing for donations to the Emergency Food Trust Fund.

I am vetoing this legislation because the bill is illegal under the Local Tax Enabling Act in that it does not authorize using tax returns other than for tax purposes. (Opinion attached). The Director of the Department of Finance has informed me that the administrative consequences on his Department would be severe. In any event, the 1988 Pittsburgh Form 40 is already at the printer.

While the subject of this Bill has a strong emotional pull, it does not justify the City to use its tax form for a purpose not authorized by law.

Accordingly, I am returning Council Bill 454 as vetoed.

Very truly yours,

Sophie Masloff  
Mayor

(END OF LETTER)

(LEGAL OPINION)

June 10, 1988

Honorable President and Members  
City Council  
City of Pittsburgh

RE: Council Bills 453, 454 and 456

Dear President and Members:

You have requested an opinion as to the legality of Council Bills No. 453, No. 454 and No. 456, which provide for a "check-off box" for the Pittsburgh Form 40, and also for the preparation of a report on the state of the poor.

Initially, in regard to the proposed "check-off box" for the Pittsburgh Form 40, Section 13 of the Local Tax Enabling Act, Act of December 31, 1965, P.L.

1257, No. 511, 53 P.S. Subsection 6913, authorizes local earned income tax officers (Treasurer) to prescribe and approve a form for use as a final earned income tax return" . . . showing the amount of earned income received during the period beginning January 1, of the current year, and ending December 31, of the current year, the total amount of the tax due thereon, the amount of tax paid thereon, the amount of tax thereon that has been withheld pursuant to the provisions relating to the collection at source and the balance of tax due."

In regard to the interpretation of tax statutes such as the Local Tax Enabling Act, Section 1928(b)(3) of the Statutory Construction Act of 1972, Act of December 6, 1972, P.L. 1339, No. 290, Subsection 3, 1 Pa.C.S. Subsection 1928(b)(3), requires that provisions of statutes which impose taxes, be strictly construed. Thus, it has been consistently held in various appellate court decisions that in cases of doubt, any ambiguity concerning a municipality's power to enact a specific provision must be resolved against the local taxing authority.

Since Section 13 of the Local Tax Enabling Act specifies the kinds of information which the Treasurer may request and does not authorize the inclusion of a "check-off box" such as that identified within Council Bills No. 453 and No. 454, it is the opinion of the Law Department that Council does not have the authority to require that such an item be incorporated as part of the Pittsburgh Form 40. In 1982 this Department issued a similar opinion in response to a request concerning the legality of a "check-off box" for a jobs program.

Also, refunds of taxes, license fees, penalties, fines and other monies are governed by 72 P.S. Subsections 5566b,

5566c, commonly known and referred to as the Refund Enabling Act. Said Act authorizes local municipalities to make refunds out of budget appropriations of public funds upon the timely filing of a written and verified claim, but does not authorize political subdivisions to direct payment of such refunds to third persons at the designation of the persons actually entitled to the refunds.

Finally, in regard to Council Bill No. 456, concerning preparation of a "State of the Poor Report", Article 9, Section 9 of the Constitution of the Commonwealth of Pennsylvania requires that all appropriations of funds by a municipality be for public purposes only. Since Bill No. 456 merely authorizes the preparation of a year-end report for 1988 and does not provide for a gift or donation of public monies, it is the opinion of the Law Department that Bill No. 456 does not violate Article 9, Section 9 of the Pennsylvania Constitution. However, Article 9, Section 9 does prohibit the City from making a contribution of public funds to the Pittsburgh Foundation.

Very truly yours.

D.R. Pellegrini  
City Solicitor

(END OF OPINION)

Mr. Ferlo moved to override the veto.

Mr. Coyne seconded the motion.

Mr. Ferlo:

Just very briefly, Mr. Chairman, I'm disappointed at the veto and I'd like to just very quickly state why I think we should override it. The earliest we could possibly do this at this rate, since the Administration has already, if we take them by their information presented to

Council, they've already printed their 1988 tax form, it would be the 1989 year. The legal opinion was incomplete, as indicated by the Solicitor. The most you could say about the State statute, and I read it five times, is that we have the power to have the Treasurer in the City design the form for the collection of taxes. Nowhere in any of the acts does it even address, either by excluding or not including the idea of a voluntary check-off for such a thing as a Hunger Trust Fund, in this case, Emergency Food Fund. And I will remind Council that of some 5,000 returns, that about \$600,000 gets mailed back out and I think it's a very creative and very clearly an attempt at trying to receive some voluntary contributions from the taxpayers.

**Mr. DePasquale:**

I just want a question answered. This check-off system is strictly a volunteer contribution by the employees?

**The Chair:**

Just like you have on your federal, if you want to check it off to give a dollar donation, whatever it is, to a political —

**Mr. DePasquale:**

In other words, if an employee states he'd like to give \$2.00 a pay to the hunger program —

**The Chair:**

It's not for employees; it's for when you file your wage tax forms with the City of Pittsburgh. If you have money coming back, you can check off to give this fund \$1.00, \$2.00, whatever it is. It's completely voluntary. It's from taxpayers and/or City employees, but not out of your paycheck, out of any money

you have coming back from the City from your wage tax.

**Mr. Coyne:**

Mr. Chairman, I just wanted to point out for the public and maybe some other Councilmembers that the Local Tax Enabling Act has to do with the collection of taxes. This in no way should be perceived as a tax; what it is is a voluntary contribution and Mr. Pellegrini, in his memo to us, says that all refunds, taxes, licenses, fees, penalties, fines and other monies are governed by the Refund Enabling Act. Well, since this can't go in effect immediately, I think Councilman Ferlo had a good point when he and I discussed it earlier, and that was that we can work with the State House, if there did seem to be a legal hitch with this, to modify the Enabling Act so that there could be a box to check off.

**Mr. Pollock:**

I think in light of last week's discussion regarding the legality of bills, I don't see how some members of Council could possibly vote in favor of overriding the veto when we have an opinion so clearly set forth by the Solicitor. I know how compliant some members of Council are with legal opinions and I don't see how anyone could override.

**The Chair:**

I would just urge you to vote to override also. I think it's a very unique way in trying to help some of the organizations to do some of the things that this Council wants to do without taking money out of our general fund constantly. I commend Mr. Ferlo on his efforts.

**Mr. DePasquale:**

Mr. President, I think we ought to clear the air in regards to how we voted last week and why. My vote was not based on a legal opinion. My vote was based, as they said earlier, on moral and other principles.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 7                      NOES none**

And a majority of the votes of Council being in the affirmative, the veto was overridden.

#### **REPORTS OF COMMITTEES**

**Mr. Wagner presented**

**Bill No. 1507**

Report of the Committee on Finance for October 5, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1375**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$65,315.39 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way, and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1387**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Fluid Conservation Systems Corporation, 8834 Capital of Texas Highway N., Suite 220, Austin, Texas 78759, in the amount of \$3,500.00 in payment for a five-day training seminar furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1388**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny County Sanitary Authority, 3300 Preble Avenue, Pittsburgh, PA 15233 in the amount of \$5,400.00 in payment for a permit fee furnished for the benefit of the City in connection with discharge of residue at the Water Treatment Plant and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?



And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Bill No. 1390

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Bill No. 1394

A Resolution entitled, "Resolution authorizing the transfer of the aggregate amount of Four Hundred Ninety Three Thousand (\$493,000.00) Dollars from the 1988 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-88-221-88-10, PR 88-04, Index Code 430876 to the General Fund of the City of Pittsburgh for reimbursement of salaries and wages paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1414

A Resolution entitled, "Resolution transferring the amount of Four Thousand (\$4,000.00) Dollars from Code Account 1632, Supplies, Index Code 163204, to Code Account 1631, Miscellaneous Services, Index Code 163105 and Seven Thousand (\$7,000.00) Dollars from Code Account 1635, Equipment, Index Code 163501, to Code Account 1633, Materials, Index Code 163303, all accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1438

A Resolution entitled, "Resolution transferring the amount of \$10,000.00 to Code Account 1851-1 (Index Code 185116) Premium Pay, Pittsburgh Zoo from Code Account 1857, Index Code 185702, Provisions For Animals, Pittsburgh Zoo, all within the Pittsburgh Zoo."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1508

Report of the Committee on Finance for October 12, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1416

A Resolution entitled, "Resolution providing transferring the sum of \$9,000.00 (Nine Thousand Dollars), from Code Account 1169, Index Code No. 116905, Wages, Regular Employees, Sick Leave to Code Account 1160, Index Code No. 116004, Salaries, Regular Employees. The sum of \$8,000.00 (Eight Thousand Dollars), and to Code Account No. 1185, Index Code No. 118505, Salaries, Regular Employees, Rodent Control, the sum of \$1,000.00 (One Thousand Dollars), Department of Environmental Services."

Which was read.

Also,

Bill No. 1435

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which was read.

Also,

Bill No. 1446

A Resolution entitled, "Resolution transferring the amount of \$6,000.00 from Code Account 1490, Equipment, Index Code No. 149005 to Code Account 1484, Supplies, Index Code No. 148403, both accounts within the Department of Engineering and Construction.

Which was read.

Also,

Bill No. 1459

A Resolution entitled, "Resolution to elect, as provided by the "Municipal Pension Plan Funding Standard and Recovery Act," a choice of recovery program for the City's various pension plans, and to authorize appropriate municipal officials to take actions necessary to implement various aspects of the act and associated recovery programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

**Mr. Ferlo presented**

Bill No. 1509

Report of the Committee on Public Works for October 5, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1384

A Resolution entitled, "Resolution further amending Resolution No. 737, effective August 21, 1984, as amended by Resolution No. 295, effective March 29, 1985, entitled: 'Taking, appropriating and condemning, by the City of Pittsburgh, for Highway purposes, certain property in the 25th Ward of the City of Pittsburgh,' by increasing the amount of the warrant by \$20,708.23 from \$10,000.00 to \$30,708.23."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1510

Report of the Committee on Public Works for October 12, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1450

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements with the Port Authority of Allegheny County, for the renovation or repair of various bus lanes throughout the city; also to create a trust fund entitled: 'Port Authority Bus Lanes Trust Fund.'"

Which was read.

**Mr. Ferlo:**

On Bill 1450, I'd like to have my comments brought forward from the meeting. I think it's important to pass this legislation because it does provide a unique mechanism by which in the future we would receive revenues from the Port Authority for some of the busway streets that we have been maintaining and, from a safety point of view, the relaying of concrete cement pads along the busway instead of the asphalt will increase the safety concerns that have been addressed besides the revenue generated.

The one thing that this bill might want to consider in the future, we could always amend it, is having an

inflationary measure in it so that in the future, instead of it being a \$6.00 a foot figure, there would be an increase for the rate of inflation. So, we'll worry about that in the future, since I don't have a written amendment.

(BEGINNING - MR. FERLO'S  
COMMENTS ON BILL NO. 1450 -  
WEDNESDAY, 10/12/88)

Mr. Ferlo:

Mr. Chairman, I would like to commend Director Gaetano on these two bills. Specifically as a result of this legislation we would be able to receive revenues from the Port Authority, a separate governmental agency, for work that we have been performing in the past. In the future our City will benefit and receive income as a result of repairs made to the City streets that run alongside the bus ways. I would commend the Director at this time for this innovative attempt in negotiating an agreement with the Port Authority to receive additional revenues.

(END OF REMARKS)

Also,

Bill No. 1451

A Resolution entitled, "Resolution amending Resolution No. 154, effective March 21, 1988, entitled: 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, for improvements to the Three Rivers Stadium Parking Lot and other work incidental thereto, and providing for the payment of the cost thereof,' by increasing the total allocation by \$400,000.00."

Which was read.

Also,

Bill No. 1452

A Resolution entitled, "Resolution amending Resolution No. 141 approved March 11, 1988 entitled: 'Providing for a Contract or Contracts or use of existing Contracts for the renovation or repair of concrete streets, various areas throughout the City.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1511

Report of the Committee on Planning, Housing and Development for October 5, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1349

A Resolution entitled, "Resolution authorizing Urban Redevelopment Authority to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh being designated in the Deed Registry Office of Allegheny County as Block 4-C Lot 94 and Block 4-G Lots 249, 254, and 256, under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 1352

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gildas A. Kaib, Jr. for the sale of Block 4-C Lot 94 and Block 4-G Lots 249, 254, and 256, in the 18th Ward of the City of Pittsburgh (SINGLE-FAMILY HOUSE)."

Which was read.

Mr. Lyons:

Mr. President, I move that Bills 1349 and 1352 be recommitted.

Mr. Ferlo seconded the motion.

Mr. Wagner:

Discussion. Mr. President and members of Council, I think the intent, and all due respect to my colleague, Mr. Lyons, to hold the bill or put it back into Committee, I'm not sure if it's to give the other proposed developer or person interested in the property an opportunity to come forth with another proposal, as we are aware, there is one on the table with these two pieces of legislation, or

simply to have additional dialogue on the legislation. Whichever it may be, I personally think we have a legitimate proposal in front of us and I think we should move forward with it.

Mr. Coyne:

Mr. Chairman, in deference to the Chairman of the Committee, I will vote to recommit it. However, for the Record, I'd like to reiterate that both the Director of Planning and the Director of the URA have both said that this fellow has already submitted his plans, has in good faith dealt with the City, and that the sale of this property would not preclude or interfere in any way with any proposal to put a hotel or any other sort of complex up there. So, the reason why I will vote to hold it is to defer to Mr. Lyons, who is the Chairman. However, I see no problem with selling this property.

Mr. Ferlo:

Mr. Chairman, I abstained on the bill at the Committee level and I am equally concerned about two issues which I addressed; one is the process, which I think is broken down, and secondly, I think clearly Council has not gotten a full picture on all of the development proposals, whether they're conflicting or not, for this particular site. And until such time that I get a full picture, I do not feel comfortable in voting in the affirmative on this bill. So, I would also support my colleague, Mr. Lyons, on recommitting it.

Mr. DePasquale:

I'll go along with Mr. Lyons' recommitment, but I have to agree with Councilman Wagner in regards to us voting this up or down today. But I will go for the recommitment.

**The Chair:**

All those in favor? Opposed?

**Mr. Wagner:**

Opposed.

**WHICH MOTION PREVAILED.**

Also,

Bill No. 1512

Report of the Committee on Planning,  
Housing and Development for October  
12, 1988 transmitting sundry resolutions  
to Council.

Which was read, received and filed.

Also, with an affirmative  
recommendation,

Bill No. 1331

A Resolution entitled, "Resolution  
providing for a Cooperation Agreement  
or Agreements with the Housing  
Authority of the City of Pittsburgh for  
the administration and implementation  
of the 'Rehabilitation and Modernization  
of Housing for Low and Moderate Income  
Persons' program (HA-88-01) at a cost  
not to exceed \$1,620,000.00."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, I would like my  
comments brought forward on Bill 1331  
in relation to the \$1.6 million  
appropriation to the Housing Authority.

**(REMARKS ON FOLLOWING PAGES)**

(MR. FERLO'S COMMENTS ON BILL NO. 1331 - Wednesday, 10/12/88)

Mr. Ferlo:

First of all, this is a very large sum of money, as Mr. Pietrogallo has indicated; \$1,620,000.00. In the information supplied by the Authority, there are about seven items, I believe, and I believe we have a list, and you don't necessarily have to review each one of them. I was curious if you could just give us some additional information on Point 3 of the conversion of efficiency apartments, one bedroom units phased program. I think you know my continual concern on the issue of the waiting list, and I was wondering, does this in some way reflect new thinking in your Authority regarding the types of units you need, as opposed to some of the units that may be presently in place?

Mr. Pietragallo:

Councilman Ferlo, the grants that we received have been very helpful and beneficial to supplement the Housing Authority for expenditures, some expenditures that HUD would not approve. It permitted to us do things while we were going through modernizations and rehabilitation in these particular units. So we pretty much stayed with that particular guideline.

Now, I have Mr. Ernest Miller here who is the director of our modernization program who is involved in the specifics, and I would be happy to defer to him to answer specifically your question.

Mr. Ferlo:

My question is along the line of what reflects the waiting list the Housing Authority has? And being on the outside, one would think that the priority of the number of units would be for possibly single heads of households with one or more children. And is this money intended specifically for single units?

Mr. Pellegrini:

No.

Mr. Ferlo:

It says "conversion of efficiency."

Mr. Miller:

This particular line item which is part of our 1988 budget request goes to the point of converting efficiency apartment units currently in about six of our high-rise buildings. The Housing Authority recently has assessed the marketability of these particular units. What we find consistently, we find that it is very difficult to rent an efficiency apartment, even those efficiency apartments that are rented. Once there are larger

units within a building available, the tenants, they then seek a transfer into these larger units. So rather than go through a continual situation of having housing units that are unused, what we seek to do through this particular line item, we seek to, where appropriate, use funding to convert efficiency units to address a market that we know is waiting and needed.

Mr. Ferlo:

So I am to understand, then, from what you are saying, is some of the units you may have are not really the most relevant to what the actual need is, and this money specifically attempts to change efficiencies to one or two bedroom apartments, I would assume?

Mr. Miller:

Correct.

Mr. Ferlo:

How many units would you be able to do with that money?

Mr. Miller:

This would be a phase program. We also show a similar line item in our 1989 budget. So the approach, of course, would be to convert the most marketable units first, and continue as monies are available.

Mr. Ferlo:

What is the \$300,000.00 figure, Point 5 under "New Construction Relocation Subsidy," is that in relation to Allequippa Street?

Mr. Miller:

It is really not. The Housing Authority has a number of applications in to the federal government requesting funding to develop new housing. What we find, we find that the funds that are available through HUD for the purposes of developing new housing is really insufficient. But what we would like to do, we would like to use some CD dollars to leverage HUD dollars such that we continue to meet the housing demands.

Mr. Ferlo:

I guess what I am asking is where is this new construction that is talked about? Are you saying generally throughout the system?

Mr. Miller:

The pattern that we have taken across the years, we have taken a pattern when you get to a point of actually having



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funding available for new construction, then, of course, what you are doing is, for the most part, you are advertising for the housing development within census tract areas. So at this point we cannot say the housing would occur in one particular locale or one particular situation. The development of the housing would be consistent with the City's housing plan.

Mr. Ferlo:

In terms of this overall grant of \$1.6 million, how does that relate to the City's process that we are more familiar with in terms of competitive bidding for this work, or who will perform these activities?

Mr. Washington:

Our procedure is basically the same as the City's, with the exception of the fact that the City has a higher bidding threshold than we do. We have to bid out everything that involves more than \$4,000.00, and I think the City's threshold is higher than that.

But basically our procedure is the same as the City's; we advertise publicly, we have a rather extensive list of minority contractors that we send notices to, we advertise in the Dodge reports, have a public bid opening, and the bid is awarded to the lowest responsible bidder.

Mr. Ferlo:

Do you have any information you could supply to Council regarding the Authority's performance as it relates to minority contractors?

Mr. Washington:

Sure we do.

Mr. Ferlo:

The reason why I am specifically asking, and I wanted to share this memo with the Authority and members of Council -- Mr. Chairman, I do think that this does relate to the issue. My concern and the reason why I wanted to generally ask more questions about this very large appropriation has to do with the question of minority set aside. It would be my hope that if in one area that we could specifically reach an affirmative goal of 20 or 25 or 30 percent, it should at least be likely that in the Housing Authority community, given the composition of the community racially as well as the nature of the work performed, for instance, the \$50,000.00 that is talked about here for replacement of exterior doors at Broadhead Mannor, this is not a contract that I would imagine would involve lots of heavy equipment. I would think that it would be a threshold that a minority contractor could more likely bid for than replacing of the Bloomfield Bridge.

This memo, Mr. Chairman, Director Pietragallo, from the Yarborough Development relates to an earlier approval that this Council gave out in the Homewood-Brushton community for a highrise development of the Section 202 program. I think, quite frankly, it is a very favorable and impressive agreement that has been worked out between Father Fisher from the Church, who is responsible for the development of this Section 202, and some of the construction companies, one is a non-union company, one is a union company. And this is sort of an affirmative agreement that has been worked out regarding a 25 percent MBE set aside and 30 percent labor EEO set aside.

I am wondering, is this something the Authority would consider?

Mr. Washington:

I think the Housing Authority of Pittsburgh has been a pioneer in this city and in this state in terms of involvement of minority contractors in all aspects of our activity; supplies, purchases, construction, so forth. In fact, specifically Yarborough Development has done quite a bit of work for the Authority over the years, so we certainly would --

Mr. Ferlo:

What I will ask the Director in negotiating or pursuing this further, in terms of the contracts that you let out, is this something that you would consider if some of the minority groups would approach you to try to work out a such an arrangement?

Mr. Pietragallo:

Let me at the outset say to you absolutely, we certainly are in favor of supporting what you propose. However, you must remember also, Councilman, that CDBG monies are federal funds, and we have to stay within the confines of those regulations and the federal laws.

Now, if they permit to us divert in this particular aspect, then certainly we would have no problems, would we, David?

Mr. Washington:

No.

Mr. Pietragallo:

We have to go to the legality of it. I certainly don't want to make a commitment here today that we can't keep. But I can tell you that the Pittsburgh Housing Authority would be delighted to find a way to bring minorities into play into some of the larger contracts.

I might add to you, and I think certainly Councilman Lyons knows, that we do a lot of special things to encourage small minorities, so we have a lot of small contracts, so that the small minorities can, in fact, come in and do it; painting, small fix up jobs, small rehab jobs. We do that in an effort to

try to circumvent the system so that minorities will have a chance. Those are the contracts that David Washington alluded to that are not put out on a formal bid basis. Although, you know, we do get different votes and bids for everything we do. If it is \$3,000.00 or \$4,000.00, we still, you know, go out and try to get competitive bidding, but it could be a letter, it could be a quote, something like that. So we do that right now.

Mr. Ferlo:

I will conclude, I just want to thank the Authority representatives for coming today and discussing the appropriation. Obviously I am trying to advocate on a specific point, and I sense a willingness on the part of the Director and Mr. Washington to review this matter from its legal perspective. Thank you.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 1417

A Resolution entitled, "Resolution amending Resolution No. 748, effective August 1, 1986 as amended by Resolution No. 710 of 1987 and Resolution No. 683 of 1988, entitled: 'Providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1418

A Resolution entitled, "Resolution amending Resolution No. 732, effective August 14, 1980, as amended by Resolution No. 1365, effective December 31, 1981, and by Resolution No. 522, effective July 18, 1988, entitled: 'Providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$133,585.58 so as to decrease the amount for the project by \$10,785.58 for a total amount not to exceed \$122,800.00.'"

Which was read.

Also,

Bill No. 1419

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201, and 1419 of 1981; by Resolution No. 416 of 1982; by

Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution No. 101 and Resolution No. 201 of 1986; and by Resolution No. 711 of 1988 entitled: 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program,' by decreasing a line item in the Department of City Planning and adding a line item in the Department of City Planning."

Which was read.

Also,

Bill No. 1420

A Resolution entitled, "Resolution amending Resolution No. 44 of 1976, as previously amended by Resolution Nos. 290, 446 and 820 of 1976, and by Resolution Nos. 319 and 461 of 1977, and by Resolution No. 241 of 1978, and by Resolution No. 1202 of 1980, and by Resolution No. 281 of 1981 and by Resolution No. 180 and Resolution No. 553 of 1982 and by Resolution No. 707 of 1987 so as to decrease the Department of Public Works Budget from \$2,176,523.08 to \$2,171,026.89 (-\$5,496.19) and reallocate these monies to the Unspecified Local Options Budget (to be used for the 'Commission on Families' project)."

Which was read.

Also,

Bill No. 1421

A Resolution entitled, "Resolution amending Resolution No. 1043, effective November 24, 1986, entitled: 'Providing for an Agreement or Agreements with the Health and Welfare Planning

Association for the administration of the Commission on Families,' so as to increase the amount of the allocation from \$50,000.00 to \$66,281.77."

Which was read.

Also,

Bill No. 1422

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of 23J Lot 141 in the 25th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1423

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh (SIDEYARDS AND OFF-STREET PARKING)."

Which was read.

Also,

Bill No. 1424

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 23rd Ward of the City of Pittsburgh owned by Joseph P. and Mary A. Devlin and designated as Block 24K Lot 197 in the Deed Registry Office of Allegheny County, under the Residential

Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1425

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Charles S. and Kathleen Jeletic and designated as Block 22P Lot 240A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1426

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Joseph L. & Roberta D. Hammill and designated as Block 13B Lots 20 & 21 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1427

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Richard C. & Lee Ann Kwiatkowski and designated as Block 13A Lot 164 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1428

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Community Partners Corporation and designated as Block 22K Lot 333A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1429

A Resolution entitled, "Resolution amending Resolution No. 1011, effective December 18, 1987, entitled: 'Authorizing the submission of Enterprise Zone applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1988' to provide

for the execution of Grant Agreements and deposit of funds in trust accounts."

Which was read.

Mr. Ferlo:

I would like my remarks brought forward on Bill 1429.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 1429 - Wednesday, 10/12/88)

Mr. Ferlo:

Good morning, Director. I have two basic questions. One is are there other enterprise zones besides these three that will be receiving funds, and two, is there a reason why? Three neighborhoods come to mind that, to me, would suggest that they also should be enterprise zones. As I look at East Liberty, Lawrenceville, and North Side, one is Homewood, Garfield and also Allentown as being like and similar in lots of different ways, in terms of the presence of a community development corporation, the problems with the central business district, the demographics of the neighborhood, and all those other things that I believe make up the criteria for an enterprise zone.

Mr. Donahoe:

These are the three in Pittsburgh, there are no others. The only other application that I am aware of in my time with the city has been for the Hill, which was actively pursuing enterprise zone status, but the state denied it apparently because to be an enterprise zone it is not enough just to have a commercial district, you actually have to have some evidence that you can develop industrial kinds of enterprises, as you would have in East Liberty, Lawrenceville and the North Side. Bob might be able to help me if there have been any others.

Mr. Lurcott:

No, there have not. In fact, there are only about six or seven statewide.

Mr. Ferlo:

So it is not a very simple thing for additional zones to be created?

Mr. Lurcott:

That is right.

Mr. Ferlo:

Is there any value for us to expend energy at trying to make some of these other neighborhoods enterprise zones?

Mr. Lurcott:

It certainly can be explored.

Mr. Ferlo:

I am really asking do we have anything to lose by seeking other neighborhoods? I mean, Hazelwood comes to mind also, it is a site for major industrial facilities that have closed down,

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that is an important business corridor.

I guess what I am asking is what is the rationale, how did these three get to be the fortunate three, and is there some rationale or logic behind trying to extend that enterprise zone status to whether it be Hazelwood, or Homewood, or Garfield, or Allentown?

Mr. Donahoe:

I think it partially takes the interest of the local community organization to do it, and if they want to live under whatever rules are prescribed by the state and will accept the money and use it in a way that the state has prescribed. I know the Hill process, which is the one that went on since I have been with the city, was very complicated and there was a lot of disappointment expressed, but the state was fairly adamant, because they only have so much money to go around and they can't really increase the number unless they get an additional appropriation.

So I guess Pittsburgh having three out of seven in the entire state is actually -- we have been fortunate. But there is certainly no harm in exploring it, other than you might be raising false expectations about what the state would do.

Mr. Ferlo:

What is the prize at the end of the tunnel there? I mean, what is the benefit, what accrues to the area?

Mr. Lurcott:

There are presumably a coordinated response on the part of state agencies making dollars available through, for instance, transportation studies and certain other state processes that go through better, and then there are annual appropriations of the magnitude we are talking about here, which are very helpful, although not a lot of money, when it comes right down to it. I think that is a feature of it. They are really trying to hold down the number of enterprise zones in this state, and the dollars coming through are, while helpful, not large.

And the part of the other question is, is it worth the energy to increase this very limited number.

Mr. Ferlo:

Is it safe to assume that if there is not a strong presence of a community based development corporation that has an established track record, that it is unlikely that it would fly anyway?

Mr. Lurcott:

I think that is a good characterization, yes.



Mr. Donahoe:

Probably the exception would be if the governing body is prepared to have the same kind of staff support, and I wouldn't be surprised that in some of the other communities in the state that the city serves that role. In Pittsburgh the system has developed of using the neighborhood organizations.

Mr. Ferlo:

So conceivably a smaller municipality like Reading, PA, might say, "This area is the zone and our Planning Department is responsible"?

Mr. Donahoe:

That's right.

Mr. Ferlo:

So we actually have that option. If we wanted to say, as an example, Hazelwood is a priority and we would instruct you, then you would have to as what, the URA or Planning Department?

Mr. Lurcott:

A combination, but primarily the URA. I think there is a preference on the part of the State Department of Community Affairs for a community based organization of some sort to be very important in the process. I mean, there is some flexibility now that can be done, and I think they look to that as being important.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 1455

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 1456

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 1457

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office, in an amount not to exceed \$53,060.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1513

Report of the Committee on General Services for October 5, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1396

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for furnishing and installing picnic shelters for the Department of Parks and Recreation, payable from Code Account PR85-04, 4-10-10-1640-85, Index Code 321810, Twenty Thousand (\$20,000.00) Dollars, Erect Non-Permit Pre-Fab Picnic Shelters, and for payment thereof."

Which was read.

Also,

Bill No. 1397

A Resolution entitled, "Resolution Repealing Resolution No. 956, effective December 11, 1987, which reads: 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs in CD areas for the Department of Parks and Recreation, payable from Code Account PR86-05, 4-10-10-1700-86-352-86-10, Index Code 430959, Concrete Repairs, Department of Parks and Recreation and payment thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1514

Report of the Committee on General Services for October 12, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1431

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for a Consultant or Consultants to investigate the City-County Building pipe tunnel for structural problems in order to determine the nature and extent of the problems and to recommend a course of action, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Woods presented

Bill No. 1515

Report of the Committee on Parks and Recreation for October 12, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1337

A Resolution entitled, "Resolution authorizing a Lease with the Three Rivers Rowing Association of Real Property on Washington's Landing to be used as a Rowing Center." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

On Bill 1337, I wanted to thank the officers of the Three Rivers Rowing Association for reopening the bid process to allow union contractors to bid on the work.

Also,

Bill No. 1338

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to provide for the conveyance of Real Property to the City for Lease as a Rowing Center." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 1516

Report of the Committee on Public Safety for October 5, 1988 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 457

An Ordinance entitled, "An Ordinance amending Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, by increasing the fee of certain devices, by establishing a license fee for devices which accept paper currency, by providing for additional information from owners of devices, and by providing additional criteria for revocation and confiscation." —(SPONSORED BY MR. FERLO)

Which was read.

**Mr. Ferlo:**

Mr. Chairman, concerning that great piece of legislation on the video poker machines, Bill 457, I'd like to make

a motion to recommit. The reason is that two of my votes are absent from the meeting; I know what you're going to do, I know what Mr. Wagner is going to do, and Councilman DePasquale -- I can add; I went to school long enough to add.

Mr. Lyons seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1095

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Streets and Sidewalks, Chapter 419, Regulated Activities by adding Section 419.10, Prohibiting Skateboards, Roller Skates, Scooters and Bicycles on Sidewalks in Business Districts." —  
(SPONSORED BY MR. DEPASQUALE)  
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1517

Report of the Committee on Engineering and Construction for October 5, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1377

A Resolution entitled, "Resolution amending Resolution No. 144, effective March 4, 1987, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Architectural Services on Various City Facilities on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$10,000.00 from \$50,000.00 to \$60,000.00."

Which was read.

Also,

Bill No. 1378

A Resolution entitled, "Resolution amending Resolution No. 145, effective March 4, 1987, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Services on an 'as-needed' basis in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$24,500.00 from \$20,000.00 to \$44,500.00."

Which was read.

Also,

Bill No. 1380

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Swimming Pool Renovations, including but not limited to Banksville, St. Clair, Fowler, Northgate and Riverview; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1518

Report of the Committee on Engineering and Construction for October 12, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1379

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Renovations to the Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Lyons:**

On Bill 1379, I'm voting in the affirmative on the bill, but I want it to go out that the people in the Bloomfield area will have a better understanding that there's not only going to be the turf put in but all of the outside other amenities of the park were going to be new or retrofitted and, more especially, I've had several complaints that there will be no bleachers. But the bleachers and everything is in that \$1,130,000. I wanted that to be clear.

**Mr. DePasquale:**

In that respect, Mr. President, I know the meeting, and I think we all do, that Councilman Lyons referred to, and I understand that they're basing their objections on the fact that there is not going to be artificial turf. And if I read the bill correctly, it's going to be artificial turf.

**The Chair:**

It will be artificial turf.

**Mr. Ferlo:**

Mr. Chairman, Mr. Lyons, I think, was pointing out that within this bill

there will be monies to, in the area of outdoor recreation, to address the issue of repair of the bleachers. I believe that's what Mr. Lyons was referring to. And since our last Committee Meeting, as we are aware, we did amend this with Section 2, specifically, Councilman DePasquale, to make it clear that there will be artificial turf. Since the last meeting, there is a specific allocation from the State sought out by Mr. Pistella of Bloomfield of \$25,000; that's cash in hand. There's also \$250,000 in the State Capital budget which may be more of a wish list. But, in any case, I think Mr. Woods' comments at the meeting best express our intent, and that is to do the whole ball of wax, regardless of what the eventual dollar figure will be.

Also,

Bill No. 1376

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled, 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by creating two (2) new line items (EC 88-76) and EC 88-77) and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1407

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Purchase of Land, Design and Construction of the Overbrook Recreation Center; and providing for the

payment of the costs thereof."

Which was read.

Mr. Wagner:

Mr. President, in regard to Bill No. 1407, the allocation of \$250,000 for the Overbrook Senior Citizens Center, I simply want to bring it to the attention of Council that we have received the letter based on a request I had at last week's meeting on the real dollar figure to build that facility. The Director of Engineering and Construction, Mr. McDermott, indicates that that figure could be possibly double that. So, I would like to alert our Capital Budget staff of that and to keep tabs on it prior to the budget. And if we need to allocate additional monies prior to 1989, to do so in the upcoming budget. Thank you.

Also,

Bill No. 1408

A Resolution entitled, "Resolution amending Resolution No. 307, effective April 25, 1980, as amended by Resolution No. 352, effective April 23, 1985, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with Green International (G.A.I.) for Consultant Services in connection with the Design of the Swindell Bridge; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$20,000.00 from \$232,000.00 to \$252,000.00."

Which was read.

Also,

Bill No. 1409

A Resolution entitled, "Resolution

amending Resolution No. 592, effective July 9, 1985, entitled: 'Providing for the creation of a Trust Fund; providing for a Cooperation Agreement or Agreements with Allegheny County for the County's share of the Rehabilitation of the City-County Building Roof; providing for a contract or contracts for said project; and providing for the City's share of said project,' by increasing the total contract costs by \$30,000.00 from \$296,000.00 to \$326,000.00 and by increasing the City's share of said project by \$8,000.00 from \$148,000.00 to \$156,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES - 6      NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

**Mr. Ferlo:**

Mr. Chairman, I'd like to make a motion to televise both public hearings to be held on November 1st; one in relation to the pre-bid specification ordinance, and second, I believe there's a

hearing in the afternoon on the petition concerning refuse collection in the City of Pittsburgh.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

Mr. Chairman, I'd just like to state that yesterday Councilman Wagner, Councilman Ferlo and myself had the pleasure of going to Harrisburg and to meet with various State officials, including Representative Mandarino and the Secretary of Community Affairs, Karen Miller. Along with the Pennsylvania League of Cities, I think the conference that was held showed that not only is tax reform needed for a city the size of Pittsburgh but also that is something that is bi-partisan and would help municipalities throughout the State in dealing with local tax problems. I would hope that, there is supposed to be a meeting in early or mid November, that the City of Pittsburgh becomes more actively involved and that we show that if tax reform isn't completed within this legislative year that City and municipalities throughout the State will be facing serious financial problems. And I would just like to urge the Mayor's Office and everyone else to try to take a more active role in pushing for State tax reform.

**Mr. Wagner:**

Mr. President and members of Council, follow-up from Mr. Ferlo's earlier resolution and Mr. Coyne's comments, and I know Council unanimously supports this, while we were in Harrisburg yesterday, several of us spoke and we realize the importance of a critical time period between now and November 30th in terms of lobbying for this legislation with the Joint



Conference Committee between the House and the Senate. Previously, the Administration, both the Caliguiri Administration and our present Mayor, Sophie Masloff, had a full-time lobbyist in Harrisburg pursuing this legislation, Mr. Zabierek. Since he has left City government, we do not have that and I think it should be the recommendation of this Council, at least for the next six weeks, when the House and the Senate go back in session, and they are in session now and will, I suspect, take a recess until after election, to have a full-time lobbyist in Harrisburg on a daily basis lobbying for tax reform. I'd like to put that in the form of a motion.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

I just want to add that I think a lobbyist is very critical, especially the period of November 14th through the 30th. Additionally, though, it was my concern, although it was a well-intended press conference, there were major speakers representing the head of the School Board Directors Association spokesperson for the County Commissioners Association, it was very clearly a broad-based coalition. But it was a small group and, at my urging, I believe the League will consider League of Cities a major attendance by municipal elected officials from all over the Commonwealth.

And on a tactical level, I don't want to get too partisan, I think it's very clear that the League of Cities needs to bring out Republican office holders from small cities and school boards and at the commissioner level from around the State because, unfortunately, it's being viewed by some as a big win for Governor Casey, if it should pass, and

some politicians in Harrisburg are not only myopic and selfish, but they're not looking at the broader picture. So, there will be another time, roughly the November 14th or 15th date, where we will once again be asked to return to Harrisburg in greater numbers for a day-long lobbying effort and I would hope that all of Council would be able to attend.

**The Chair:**

I'd just like to say one thing. I agree with everything that has been said here but I believe, when you brought up the Commissioners and you brought up the State Legislators, I believe that if we have Commissioner Foerster and some of his staff go down there and campaign and say some of our representatives like Representative Thomas Murphy go down there and sway these votes like they did on the Alcosan formation, I believe that they can win without anybody's help. I mean, they got down there and they got bi-partisan help and they got help from Philadelphia, Scranton, to pass that bill, I'm sure that these two individuals are so powerful that they can get enough help for the poor City of Pittsburgh, which they both live in. And I hope that's printed and I hope that message is taken across the street and over to North Side.

**Mr. DePasquale:**

With time running short, as Councilman Wagner said, we should have a lobbyist down there. First of all, I thought Chuck Kolling was down there doing that lobbying.

**The Chair:**

He works for us and the County and I suppose that the Commissioner's Office maybe doesn't want this and maybe he's leaning more towards the Commissioner's standpoint than the City's standpoint.

**Mr. DePasquale:**

We need somebody especially for that type of lobbying. As I say, time is running short. Who is going to choose this person and when are we going to do it?

**Mr. Ferlo:**

The Administration.

**The Chair:**

We'll put him on a full-time staff to go down there, just like Mark Zabierek was there on a full-time basis and the Mayor sent him there all the time and I'm sure we could do the same thing.

**Mr. Wagner:**

Mr. President, in regard to that, if the Administration does not employ a full-time lobbyist in Harrisburg during that critical two or three week period, I believe that this Council should do that and we should send a lobbyist to Harrisburg whether it's on a consultant form or whether it's someone from our Operating Budget or our Capital Budget to go there and to lobby for this legislation. That's how important the legislation is. And really, in essence, the reason why we want to see tax reform so much is that it will give us the ability to lower the wage tax, if we get additional taxes in other ways. And we know that's our number one problem, to reduce the 2.1 percent wage tax that the City of Pittsburgh has. And I mention 2.1 not only because that's accurate, but also to emphasize the fact that it's important that the School Board face up to their responsibility here because they have 1.9 percent of the wage tax and with tax reform, hopefully, not only the City can reduce its 2.1 percent wage tax, but the School Board should be doing the same

with their 1.9 percent. And I would also strongly recommend to them, and maybe we should do that in letter form, that they become involved in the lobbying effort in Harrisburg also.

**The Chair:**

I have no problem with that but I am very serious when I named two individuals. I have not seen either one of these individuals speak out on tax reform and especially when they both live in this City and the one represents this City most entirely from his legislative district. I have not heard him speak out on this thing one time, and the Commissioner, very, very little. And I mean this sincerely, and I am taking a shot at both individuals. And you can quote me.

**Mr. Ferlo:**

Mr. Chairman, you're on a sore subject, and that's Mr. Kolling. It's my intent in the future when that contract comes up to argue very strongly, and no disrespect to him, that we can have our own lobbyist. If he wants to come work with us full-time, fine. But the County should have their lobbyist and we should have our own.

And I agree with your point about what the intent of the Commissioners are. I'm not sure regarding tax reform; I don't know if they have a problem with the sales tax revenue sharing kind of an idea or what. But it's very clear to me there's an absence of leadership. I don't want to speak ill of our Mayor but I was somewhat disappointed that the Administration was not visibly a part of the press conference yesterday as obviously a big city Mayor should be. It's all well and good to be out shaking hands with General Services staff, but yesterday, I think, it was the day to be in Harrisburg with statewide media and

statewide focus clearly focused on the need for tax reform.

On the point that Mr. Wagner raises, I think the intent of our letter is to be cooperative with the Administration and suggest strongly that they appoint somebody and I'm sure we would vote for whatever expense money. But I think Mr. Wagner's point is much more clear in stating that we need to have somebody. And if we can't hear from Her Honor in the next couple of days, I think, Mr. Chairman, you should convene a meeting of Council. We have a consultant line item and I think we should do precisely that. We should hire our own person, somebody who has some level of rapport with legislators and knows Harrisburg and there are many people that can fit that bill. And I think we should move on that and be ready for November 14th. It should be Light Up Day not only in the City of Pittsburgh, but it better be Light Up Day down there in the Rotunda.

**The Chair:**

I totally agree with you and I'll make the last statement and we'll kill this subject. But I agree, and the one thing about us having our own lobbyist and not sharing him with the County, especially with the County. The Commissioners serve 130 municipalities and I don't believe we're getting our fair share for our money. And when it's budget time, and I have nothing against Mr. Kolling either, but we have to employ someone who is just going to work for us, the 400,000 citizens of the City of Pittsburgh and not the other million people in the County.

**Mr. Coyne:**

Mr. Chairman, on another subject. I'm sure we were all saddened yesterday with the death of Senator Romanelli. He

was a man who proudly served the City of Pittsburgh and the 43rd legislative district. I would ask that we make it in the form of a motion that Council send a letter to his family of condolences and appreciation of the work and services that he did.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Ferlo:**

Mr. Chairman, on another subject. I'm very concerned about a situation at the City garage. For the last couple of weeks there has been a garbage pile of about 15 feet high and about as big as a City block. I don't know what the problem is but there are sewer rats in the area and if I was a City worker I would not want to have to work next to the area, not to mention the fact that it's against the Board of Health. I don't know if there's a problem but it seems as though there's some conflicting information I'm getting regarding the contract for the City's roll-off boxes and I think we should send a letter to the Administration requesting an explanation as to why this garbage is being allowed to be out there for the last several weeks.

And two, could we please get an indication as to what is the status of the contract for the roll-off boxes. I've been led to believe that one company bid the lowest but they did not receive the bid for the roll-off boxes and there seems to be some dispute. I don't know what it is and I'm trying to get down to the facts, and I haven't gotten people from the Administration yet to return my calls, but I would like to send a letter one, pointing out the garbage situation, and two, finding out what the heck is the situation with the bid process and the contract for the roll-off containers.

Thank you.

**Mr. Lyons** moved to excuse Michelle Madoff for absence from the meeting.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, October 24, 1988

No. 41

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, October 24, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presents

No. 1554 WHEREAS, on Saturday, October 22, 1988, The Italian Heritage Society of America will hold its Fourth Annual Awards Dinner at the Pittsburgh

Hilton and Towers; and

WHEREAS, The Italian Heritage Society of America was formed in the interest of scholarship; and

WHEREAS, at this year's dinner, The Italian Heritage Society of America will offer five higher education scholarships, including the Charles Caputo Memorial Scholarship, and two special education scholarships to area students; and

WHEREAS, each year the Italian Heritage Society selects and honors individuals of Italian heritage who have distinguished themselves in their field or profession so that they may serve as examples to our young scholars; and

WHEREAS, this year, the Italian Heritage Society will honor Louise Brennan, Associate Superintendent of the Pittsburgh Public Schools, for her service in Education, the late Mayor Richard S. Caliguiri, for his service in Government, Leo Puma for his contributions to Labor, Doctor Anthony Ripepi and Doctor Philip Ripepi for their contribution in Medicine, Carmala Walgren for her service in the Humanities, and Kathleen Melucci for her proficiency in Music.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the honorees for this recognition of their distinguished service along with The Italian Heritage Society of America for their commitment to scholarship and their service to the future; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the achievements of the awardees, Susan Fillipih, Nicholas Fioravanti, Bernadette Rorer, Amy Castellano, Patricia Rosellini, Syndee Schaeffer and Jacquelyn Kelly, and congratulates each of them on winning their scholarships.

**Mr. Coyne** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

I'd like to bring up Mr. Ed Blotzer; the honoree, and Mrs. Blotzer, and Annabelle Kenny, Vice-Chairwoman of Animal Friends, Inc.

**Mr. Ferlo presents**

No. 1555 WHEREAS, Edward J. Blotzer, Jr. founded Animal Care and Welfare, Inc., a non-profit law enforcement Society for the Prevention of Cruelty to Animals; and

WHEREAS, Edward J. Blotzer, Jr. has served as the President and Chief Humane Officer of Animal Care and Welfare; and

WHEREAS, Edward J. Blotzer, Jr. has personally investigated over 60,000 reports of animal abuse or neglect; and

WHEREAS, Edward J. Blotzer, Jr. has performed this services as a law enforcement officer at no cost to the taxpayers; and

WHEREAS, Edward J. Blotzer, Jr. has spent countless volunteer hours promoting animal protection efforts and the concept of animal rights; and

WHEREAS, Mr. Blotzer will be honored at a testimonial dinner on October 27th in honor of his service to the community and his service on the boards of Animal Care and Welfare, Animal Friends, and the Federated Humane Societies of Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Mr. Blotzer on his twenty-five years of service to the community in the noble effort to prevent cruelty to animals and to make us all more aware of the importance of animals to the quality of our lives and extends best wishes to him and his family in his future endeavors.

**Mr. Ferlo** moved to adopt the resolution.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Ferlo:**

Thank you, members of Council. At this time I'd like to introduce Annabelle Kenny who is the Vice-Chair of Animal Friends, Inc., for her to say a couple of brief words and then I'd like to turn it over to our honoree, Mr. Blotzer, and he can take the privilege of introducing his beautiful wife.

**Ms. Kenny:**

Members of Council, on behalf of Animal Friends, I'd like to thank you for this letter for Ed Blotzer. We're very proud of him. He has served Animal Friends as a boardmember since it's inception, practically, and we wish him well in his endeavors to protect animals and we are very grateful for all his service. Thank you.

**Mr. Blotzer:**

I want to thank the Councilmen, a number of them that I do know already, for this resolution. I can only say that in the 27 years that I've been involved in this, I think that I've enjoyed every minute of it. There's nothing more gratifying to me than to protect those who depend on honorable men and women for kindness, mercy and justice, and I thank the Council of the City of Pittsburgh for this resolution.

**Mr. Wagner presents**

No. 1556 WHEREAS, the week of October 24th to the 30th has been declared "National Drug Free America Week" by a congressional resolution; and

WHEREAS, the consequences of illegal drug use have reached epidemic proportions and are of increasing concern to every American; and

WHEREAS, the hope of "National Drug Free America Week" is to involve everyone, from the business community to young people, in committing to a drug-free lifestyle and creation of a drug-free America; and

WHEREAS, "National Drug Free America Week" is being held concurrently with the first "National Red Ribbon Week" which encourages the wearing and display of red ribbons as a visible symbol of intolerance toward drug abuse.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes October 24th through 30th as "National Drug Free America Week" and "National Red Ribbon Week" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that

the Council asks all citizens of the City to commit to a drug-free lifestyle and to wear or display red ribbons to show their intolerance toward drug abuse.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President and members of Council, thank you for your vote in that. This will be presented privately outside of City Council. I simply want to say that this problem continues to increase at alarming rates in our society and our City. It's still the number one form of illegal employment in America and its important that the public continue to become involved and aware of the problem. I'd like to remind the public that if you have any information relating to the sale of illegal drugs within the City of Pittsburgh, the number to call is 255-2811. Thank you.

**Mr. Coyne presented**

No. 1523 Resolution providing for the issuance of a warrant in favor of Project Development Group, Inc., in the amount of \$355.00 in payment of professional services rendered on Hazlett Theater Ceiling Renovations, payable from Code Account EC 86-82.

Which was read and referred to the Committee on Finance.

Also,

No. 1524 Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation to Various Roofs including but not limited to #3 Fire Station and Maintenance

Repairs to the City-County Building at a cost not to exceed \$17,000.00, chargeable to and payable from Code Account EC 88-61.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1525 Resolution Repealing Resolution No. 638 effective August 12, 1988 entitled: "Providing for a Contract or Contracts or the use of existing Contracts or Contracts to purchase metal lockers for turnout gear for the Bureau of Fire at a cost not to exceed \$11,200.00, chargeable to and payable from the Department of Public Safety, Code Account 1464, Equipment.

Which was read and referred to the Committee on General Services.

Also,

No. 1526 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Firefighter Instructor Hayward Arnold, Bureau of Fire, to attend the National Fire Academy in Emmitsburg, Maryland, October 23, 1988 - November 4, 1988, at a cost not to exceed \$183.00, payable from the PSTA Code Account, Bureau of Fire, Department of Public Safety. Permission is also requested for use of a City vehicle. This is a two-week course entitled "Fire Service Course Development" designed to teach training personnel how to design and develop courses and implement education and training programs. (PRIOR APPROVAL GRANTED)

Also,

No. 1527 Communication from Glenn Cannon, Director, Department of

Public Safety, requesting authorization for Deputy Chief John Moran, Bureau of Fire, to attend the Third National Training Resources and Data Exchange Conference, Emmitsburg, Maryland, November 28, 1988 - December 2, 1988, at a cost not to exceed \$105.00, payable from the PSTA Code Account, Bureau of Fire, Department of Public Safety. Permission is also requested for use of a City vehicle. This is a national conference where ideas and concepts regarding training are exchanged nationally.

Also,

No. 1528 Communication from Louis DiNardo, Acting Deputy Director, Department of Public Safety, requesting authorization for Jeannie Myers, Chief Clerk 2, Tina-Pallago-Toy, Fitness Coordinator, Bureau of Administration, Diane DePalma, Sergeant, Bureau of Police and Margaret Rizza, Director's Office to attend a one-day seminar entitled, "Power Communication Skills For Women," held at the Marriott Hotel in Monroeville, PA, November 17, 1988, at a cost not to exceed \$192.00, payable from the PSTA Code Account, Department of Public Safety. The reason we are requesting that these four (4) individuals attend this seminar is due to the fact that each of them work in different areas and this seminar will enhance their communication skills.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1529 Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and 1988 Community Development Block Grant Program; and approving the 1988 through



1993 Capital Improvement Program," by increasing line item EC 88-76 Bloomfield.

—(SPONSORED BY MR. FERLO)

Also,

No. 1530 Resolution amending Bill No. 1379, passed in Council, October 18, 1988, entitled, "Providing for a contract or use of existing contracts for Renovations to the Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field, and providing for the payment of the cost thereof", by increasing the total project allocation by \$300,000 from \$1,130,500.00 to \$1,430,500.00, chargeable to and payable from the below listed Code Accounts: This additional allocation will be used to cover costs of purchase and installation of artificial turf at Dean Field. — (SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1531 Resolution vacating Crispen Street from Danbury Street northwesterly 213.81-Feet more or less to a point, reserving the 6" water line located therein in the 26th Ward of the City of Pittsburgh.

Also,

No. 1532 Communication from James N. Walker, Director, Department of Environmental Services, amending Council Bill No. 743 authorizing Darryl Mabrey and Robert Lewis to attend the Governmental Refuse and Collection Disposal Association International Solid Waste Exposition, in Baltimore, Maryland, August 22-25, 1988, by increasing the cost from \$1,900.00 to \$2,200.00, payable from Code Account No. 1181.

Which were read and referred to the Committee on Public Works.

Mr. Lyons presented

No. 1533 Resolution further amending Resolution No. 1094, effective December 31, 1987, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by transferring funds from CP 88-10, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals. A total of \$1,790,000.00 is being transferred from the 1986, 1987 and 1988 capital budgets.

Also,

No. 1534 Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled: "Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program," by transferring funds from CP 87-08, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals. A total of \$1,790,000.00 is being transferred from the 1986, 1987 and 1988 capital

budgets.

Also,

No. 1535 Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by transferring funds from CP 86-09, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals. A total of \$1,790,000.00 is being transferred from the 1986, 1987 and 1988 capital budgets.

Which were severally read and referred to the Committee on Finance.

**Mr. Lyons** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1536 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh, consisting of a street running through the property, designated in the Deed Registry Office of Allegheny County as Block 48H, Lot No. 200 for the sum of \$1.00, under the Industrial Land Reserve Fund.

Also,

No. 1537 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire from CSX Transportation, Inc. all of its right, title and interest in approximately 9.80 acres in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as part of Block 48H, Lot No. 200 for the sum of \$700,000.00, under the Industrial Land Reserve Fund.

Also,

No. 1538 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the North Side Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs at a cost not to exceed \$125,000.00, chargeable to and payable from the North Side Enterprise Zone Trust Fund.

Also,

No. 1539 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Lawrenceville Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs at a cost not to exceed \$125,000.00, chargeable to and payable from the Lawrenceville Enterprise Zone Trust Fund.

Also,

No. 1540 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing from "R2-T" Townhouse Residence, "M3" Light Industrial and "C3" Commercial Districts to "S" Special and "M1" Limited Industrial Districts certain property having frontage along CALIFORNIA

AVENUE; MARSHALL AVENUE and MARVISTA STREET, 21st Ward.

Also,

No. 1541 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by changing from "R4" Multiple-Family Residence District to "R2" Two-Family Residence District certain properties having frontage along KENTUCKY AVENUE; HOWE STREET; SOUTH NEGLEY AVENUE; MARYLAND AVENUE and COLLEGE STREET, 7th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1542 Resolution providing for the transfer of \$44,500.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account 1982 (198200) Miscellaneous Services, Distribution Division, Department of Water. Additional funds are required to pay for higher than projected roll-off "dumpster" charges for the removal of debris from the department's two district maintenance facilities.

Also,

No. 1543 Resolution providing for the transfer of \$3,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water to Code Account 1972 (197202), Miscellaneous Services, Purification & Pumping, Department of Water. Additional funds are required to pay for higher than projected roll-off "dumpster" charges for the removal of debris from the department's Water Treatment Plant.

Which were read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1544 Resolution transferring the aggregate amount of \$550,000.00 from various Department of Environmental Services Code Accounts, Code Account 44, and Code Account 53, Department of Finance, to Code Account 1167, Wages, Regular Employees, Department of Environmental Services. These transfers are necessary to cover salaries for the remainder of 1988.

Which was read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

Also,

No. 1545 Resolution transferring the aggregate amount of \$150,000.00 from Code Account 53 (005306), Debt Service Auditorium Authority, to Code Account 47-1 (004713), Union Bonuses. This transfer is necessary to cover Union Bonuses for the Department of Environmental Services for the remainder of 1988.

Also,

No. 1546 Resolution transferring \$7,000.00 from Code Account No. 0048 (004804) No Fault Insurance Claim, Department of Finance, to Code Account No. 1022 (102202) Salaries, Regular Employees, Pittsburgh Magistrates

Court, Office of the Mayor.

Also,

No. 1547 Communication from Jack Wagner, Councilman, requesting reimbursement for Michael Brady, Administrative Assistant, for expenses incurred during a trip to Harrisburg, PA, concerning the Local Tax Reform Package, October 17, 1988, at a cost not to exceed \$150.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council.

Also,

No. 1548 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for David Farley to attend a meeting with officials of the Pennsylvania Department of Labor & Industry and Service Delivery Area Directors, in Williamsport, PA, October 24, 1988, at a cost not to exceed \$75.00, payable from the JTPA-11 Trust Fund, federal funds. The purpose of this meeting is to examine the Summer Training and Employment Program (STEP). (PRIOR APPROVAL GRANTED)

Also,

No. 1549 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley, Anne McCafferty and Barbara King to attend a Single Point Contract conference sponsored by the PA State Service Delivery Association, held at State College, Pennsylvania, October 31, 1988 - November 1, 1988, at a cost not to exceed \$398.00, payable from the JTPA-1 Trust Fund, federal funds. The purpose of the conference is to address issues and concerns related to the Joint Jobs Initiative SPOC project. A city vehicle will be used to make the trip. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1550 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the lack of affordable, decent housing for low and moderate income people, and the need for new local, state, federal and national spending priorities to address this issue. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

#### REPORTS OF COMMITTEES

##### Mr. Wagner presented

Bill No. 1551

Report of the Committee on Finance for October 19, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed

Also, with an affirmative recommendation,

Bill No. 1458

A Resolution entitled, "Resolution transferring the sum of \$2,500.00 (Two-Thousand Five Hundred Dollars) from Code Account 1103, Index Code 110304, Miscellaneous Services, to Code Account 1104, Index Code 110403, Supplies."

Which was read.

Also,

Bill No. 1460

A Resolution entitled, "Resolution

transferring the sum of \$7,500.00 from Code Account 10 Accounts Payable Prior Years, to Code Account 1838 Miscellaneous Services, Department of Parks and Recreation." (SPONSORED BY MR. WAGNER)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.  
Also,

Bill No. 1468

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reynolds Polymer Technology, Inc. in the amount of \$11,400.00 in partial payment of an emergency contract for the design and construction of a Coral Reef Tank at the Aqua Zoo; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1485

A Resolution entitled, "Resolution providing for the transfer of \$60,000.00 from Code Account 1980 (198002), Salaries, Distribution Division, Department of Water, to Code Account 51 (0051-08) Postage, Department of Finance."

Which was read.

Also,

Bill No. 1492

A Resolution entitled, "Resolution providing for the transfer of twelve thousand dollars (\$12,000.00) from Code Account 1064, Index Code 106401, Supplies and Materials to Code Account 1067-9, Index Code 106799, Workers' Compensation, Department of Finance."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1493

A Resolution entitled, "Resolution providing for the transfer of a total of forty-three thousand dollars (\$43,000.00) from Code Account 1060, Index 106005, Salaries, to the following code accounts: sixteen thousand dollars (\$16,000.00) Code Account 1063, Index Code 106302, Miscellaneous Services and twenty-seven thousand dollars (\$27,000.00) to Code Account 1066, to Index 106609, Equipment, all within the Department of Finance."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1498

A Resolution entitled, "Resolution transferring the amount of \$15,000.00 from Code Account 1003, Miscellaneous Services, City Clerk's Office, (Index 100305), to Code Account 1006, Equipment, City Clerk's Office, (Index 100602)." (SPONSORED BY MR. WOODS)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1499

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI in the amount of \$14,775.00 for the purchase of an NBI Model 12 laser printer for the City Clerk's Office, without previous authority of law, chargeable to and payable from Code Account 1006, Equipment, City Clerk's Office, (Index Code 100602)." (SPONSORED BY MR. WOODS)

Which was read.

**Michelle Madoff:**

May I ask Mr. Perry a question? On Bill 1499 for the laser printer, does that mean that these Municipal Records will get out faster?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

I've been urging you to get a laser printer for a long time. I think it's a wise decision. It's a good investment. Thank you.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1497

A Resolution entitled, "Resolution transferring the aggregate amount of \$575,000.00 to various code accounts from Code Account SPP (254359), Special Parks Programs the amount of \$65,000.00 and from Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$510,000.00 in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 1552

Report of the Committee on Public Works for October 19, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1453

A Resolution entitled, "Resolution providing for an Agreement or Agreements granting unto the Boron Oil Company, their successors and assigns, the privilege and right to construct, maintain and use a Mini-Mart over the 60-Inch sewer Right-of-Way at 2230 Saw Mill Run Boulevard in the 32nd Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 1553

Report of the Committee on Public Safety for October 19, 1988 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 457

An Ordinance entitled, "An Ordinance amending Title Seven - Business Licensing, Article IX - Amusement Business, Chapter 777 - Mechanical Amusement Devices, by increasing the fee of certain devices, by establishing a license fee for devices which accept paper currency, by providing for additional information from owners of devices, and by providing additional criteria for revocation and confiscation."

Which was read.

**Mr. Ferlo:**

On this bill, which begins to give consideration to the amount of money that it takes for the enforcement of the video poker machines as well as giving the Police Department the ability to deal more squarely with problem bars, I would like my comments brought forward from the earlier meeting when we discussed this bill.



**(BEGINNING - MR. FERLO'S REMARKS  
ON BILL NO. 457 - 10/5/88)**

**Mr. Ferlo:**

Mr. Chairman, there was lengthy discussion on this bill, also with the Director present. Obviously I am in favor of this bill; it not only raises the increase to be commensurate with the amount of money it costs for the enforcement of these machines, but also it provides some new directives and ability for the police department to deal with problem bars. There was not majority support, quite frankly, on Council for the \$300.00 fee.

At this time I would like to move for its approval, and I would like to amend the legislation to be a fee of \$200.00, which would be a \$65.00 increase, as opposed to the \$300.00 legislative request.

**(END OF REMARKS)**

**Michelle Madoff:**

May I get clarification; I've been out ill for a couple of weeks. What is the final disposition of the Safety Department not being able to take the illegal poker machines out of the facilities where we found them to be in violation?

**The Chair:**

That has nothing to do with this bill. This bill is strictly to raise the fees of the poker machines.

**Michelle Madoff:**

Let me rephrase my question. Is there any correlation between raising the fees and having the illegal machines running?

**The Chair:**

No.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

**AYES 7**

**NOES 1**

**(MR. DEPASQUALE VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Coyne:**

Mr. President and members of Council, I'd like to take this opportunity to alert you all to a situation in the City of Pittsburgh and its surrounding communities that I believe in the very near future we will all need to address. It's the lack of any plan in the City, the County or State for the management of storm drainage in our creeks and streams. In more specific terms, I'd like to bring to Council's attention the

severity of the situation occurring at this time along Streets Run and Glass Run in the 31st Ward.

As I'm sure you're aware, a large part of the neighborhood of Hays is built along the banks of Streets Run Road and the Streets Run Creek. Residential development that has occurred over the years in the area above Hays has caused an increase in the volume of storm drainage. The erosion that has occurred due to this increase has left large accumulations of silt along the bottom of the creek, lessening the drainage capacity, hence, damaging the property of City residents living along the stream.

I am told by some engineers that this situation is further complicated by a problem relating to the capacity of City sewer lines in the area. The Administration has denied that claim, though I do not know whether that possibility has been properly investigated. The Mayor has related to me that she recognizes the problem and that it is serious to those property owners, but has denied them any assistance insofar as capital improvements are concerned. I believe that Mayor Masloff does not understand, or perhaps just does not care about how severe the situation really is for the people of the 31st Ward. I witnessed the flooding that these property owners endured. I have photographs of property on which erosion has taken such a toll that a home could literally be washed away unless something is done.

Members of Council, I believe that if the stream were in another area of the City and not the 31st Ward, these concerns would be more forcefully addressed and that solutions, whether by way of City capital expenditure or through a cooperative agreement with the City, County and State, would be further investigated by the

Administration. But since the problem is primarily a 31st Ward problem and, as we all know, to the Administration the 31st Ward has been a long forgotten part of the City, the severity of the situation has fallen on deaf ears.

I would hope that Council would support me now in a motion that would help address the flooding situation in Hays, and also to call to the attention of our State Legislators to address the broader issue of a storm drainage management plan throughout the State.

With that purpose in mind, I would like to make a motion that Council send a letter to Governor Casey asking for his support of the State Capital budget item calling for the dredging, repair, and flood control of structures in the Streets Run and Glass Run Creeks.

I would also like to make a motion that Council send a letter to the members of the Allegheny County Delegation of the State Legislature calling on them to investigate the possibility of implementing a storm drainage management plan for the State of Pennsylvania. I have discussed this issue with State Representatives, particularly State Representative Michael Dawida, and he feels very strongly that this issue is likely to come up for discussion in the next session. So, I would ask for your support on those two motions.

**Mr. DePasquale** seconded the motion.

**Michelle Madoff:**

Discussion. I think that Councilman Coyne is right on the button because its also compounded by the water leaks in that area. I've also been out there on Sundays and evenings when the ground has been washed away. People have spent thousands of dollars on

landscaping; I've seen house foundations caved in. I've walked in mud up to my knees. Those people are really the forgotten part of the community and I would support anything that we can do to help relieve some of the problems in that area.

**Mr. Coyne:**

Thank you, Councilwoman.

**WHICH MOTION PREVAILED.**

**Mr. Ferlo:**

Mr. Chairman, two brief points that are unrelated; both of them serve notice or pre-empt discussion that will take place next month relative to the budget. The first issue being the situation in Highland Park regarding the park itself, and I wanted to briefly outline some concerns that I've addressed to the Administration because I feel very strongly that next month when we interact with the department directors and talk about the longer range capital expenditures of this City for the next five or six years as well as next year's operating budget, I want it to be clear that these department directors, especially in Parks and Recreation, know some of the concerns specifically in that park.

I'm a little bit disappointed that somehow we have to wait until a park is 100 years old, by that I mean Schenley Park, before we put together a blue ribbon commission and a gala cast of characters to deal with some of the planning. I think this should really go on for all of the parks, not only Highland Park and Schenley but there are many beautiful parks throughout the City. Some of them need major infrastructural work and expensive line items for capital improvements, but many of the things from the time that I've taken the tour of

some of the parks, just involve basic maintenance and doing things that should be done continually throughout the year. But in terms of the Highland Park situation, a lengthy memo went to the Administration but on several brief points, and it sort of does address the issue of in the budget not having a budgeted line item for repairs to major statues, be they bronze or other materials in the parks. Highland Park specifically has six bronze statues which, to my knowledge, have never been cleaned in the history of the park which, I might add, is also 100 years old. And the request to the Administration is to come back with a specific dollar figure and a report to Council on what would be involved in the cleaning of the bronze figurines at the entrance to the park.

Secondly, the beautiful lake that exists in Highland Park, the Carnegie Lake, really needs to be dredged and cleaned. This was done many years ago when Mr. Natoli was responsible for the parks. It hasn't been done in a long time and, actually, some blue dye that has been used to attempt to kill the algae has actually made the situation worse there. But part of the request to the Administration is to come back with a report on the cost regarding the Carnegie Lake situation.

Also, unfortunately, since I've been on Council since January 4th, we've not actually had an opportunity to review the Zoo master plan. And, quite frankly, I'm not even clear what the status of that plan is currently, but the concerns in the community rightfully so are that the future master plan for the Zoo must address the issue of integrating the Zoo more with the actual logistics of the park. Right now they're separated with a major fence and there's a lot of potential for the park to be developed more if it integrated itself more with the actual activities in the Zoo.

One problem that's not only at Schenley and Highland Park but parks throughout the City is that there's really no master plan for dealing with the trees in the parks in terms of planting and cutting and removing and having a longer ranged plan for the replanting of trees which, quite frankly, in the next five to ten years they're at the end of the road and there's not really a clear inventory in a plan for dealing with that.

In Highland Park specifically, there is a beautiful stone archway which needs some immediate attention by Parks and Recreation or Engineering and Construction. In addition, there's a very dangerous situation regarding some work that's being done by the Water and Sewer Authority. In fact, it's a dangerous situation because there's not proper lighting and barricades up. There are holes and the street is dug up throughout the park and this situation has been there for many, many months. Again, the request to the Administration is to communicate back to Council regarding when this work will be finished.

A problem that I know Mr. Pollock is quite aware of is the continual problem with graffiti, not only in Highland Park but throughout many of our parks, and I think there needs to be more coordination with the Police Department and possibly a reward offered in the high schools because, often times, kids know who the culprit is dealing with the graffiti.

Those are just some of the points in relation to Highland Park that I hope that we will soon hear from the Administration on. An immediate problem in the park is the fire truck in the children's play area which is about a 20 year old fire truck which is terribly damaged and totally unsafe for small children to play in, and I've been assured by Susan Gogh from the Department of

General Services that that fire truck will be removed out of the park in the next couple of days and, if that is the case, I would applaud her and the department to no end.

On that point, Mr. Chairman, I would hope that the Administration, come budget time, will broaden the debate in the planning so it's not just the planning for Schenley Park, which is important, but also that we look at Highland Park and several of the other large parks that are not just parochial but which many neighborhoods in a particular area utilize.

On the second point, very briefly, Mr. Chairman, I received as well as, I'm sure, Council, what I consider a very beautiful promotional brochure, which I think all of you received. It's a very lengthy, well laid out promotional brochure on the City of Pittsburgh. I want to just raise one brief point on this issue. I feel very strongly as a critic of the City travel that I would be less critical next year on travel if the individual employees and department directors, and I might remind Council we've spent over \$400,000 this year on travel, that if in their travel they become promotional ambassadors. And if possible, I think we should investigate what it would take for us to order a very large quantity of these brochures. I know on the two times that I have been at out of town conferences talking about the City, I would like to have had this brochure to promote the City. It's probably an expensive item, it's a multi-colored print job, but maybe there would be some monies from the private sector.

What I'm basically suggesting is a letter to go to the Administration suggesting that our employees and Councilmembers, anyone who travels on City time, be responsible for taking this brochure and/or others that have been

prepared by the Greater Pittsburgh Office of Promotion. And I would like to recommend that we set up and establish what I can best describe as promotional ambassadors. These would be City employees whose job it would be to take this beautiful brochure which promotes the City and utilize it in whatever way possible at these various conferences. The people that go to these conferences, many of whom are managers and planners for other groups, are often times the key individuals to make decisions on where conventions and meetings should be held around the country.

So, I'd like to offer that in the form of a suggestion by way of a letter to the Administration from Council.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

This is in response to the two items that Mr. Ferlo brought up. The graffiti bill, which Council passed, already includes in it a provision for rewards. One individual right now has a reward pending. He turned somebody in, the person was apprehended, and the person is in the process of going through the judicial system right now. So, the first person who is in line to receive an award is currently awaiting that determination by Director Cannon. But it is a good idea, from time to time, to remind people that if you do know of anybody who has committed graffiti or vandalism on any City property, if you see it, if you hear about it, you do have the right to a reward if you provide information which leads to the arrest or conviction of that individual. So you should contact police authorities or the Public Safety officials. That provision is already in there.

The second thing I want to respond to that Mr. Ferlo brought up was the promotional brochure. I think it's a good idea that traveling City officials do distribute these. I would go one step further to ask, and I've actually been working on this with one group, but the City arts groups which receive grants and donations, albeit not very large, but the groups that do receive them, maybe not just limited to arts groups but any City groups that receive grants and donations could be asked kindly, respectfully, to when they do their concerts in other cities or communities, that they also distribute these. And I've been working with the American Waterways Orchestra to distribute brochures as they tour about not only this continent but next year to Europe and Asia, that they distribute brochures at every one of their sites where they perform. And I think this would have a profound effect upon promoting the City and the area and we're in the process of working that out now as to where the money will come to pay for the brochures because it is an expensive operation. When you talk about being on the road for many months at a time and many spots, that's a lot of printing and a lot of costs. So, if that can be worked out, and I'm optimistic that it will be, through the URA we're looking at coming up with some money to do it, that this will be a very beneficial thing.

So, I would agree with what Councilman Ferlo suggested and take it one step further and say to anyone who has an interest in the City that's going out, that they should have these brochures available to pass out.

**Michelle Madoff:**

You know, I think these are all wonderful ideas and it's unfortunate that we've changed the procedure here where we hop around from one subject to

another so we have to go back and say, "As you were saying two items ago ...", but I'll try to remember what has been said.

I would like to make a request from the President of this Council and with the support of my colleagues that we request from the Greater Pittsburgh Office of Promotion the number of cities that they have advertised in the travel section to advertise Pittsburgh as being the number one city. And if my information is correct, you're going to find that nine out of ten cities have not heard nor have any advertising done for us, for our Convention Center or the Greater Pittsburgh Office of Promotion. I think we should start with finding out what has been done and I think the kind of feedback many of us get, all of us here, the complaints about we're not being promoted, it would give us some idea of what we really need to do. Maybe the money would be better spent in cities advertising in the travel sections. I would like to know, has anything been done? What budget has been committed? Where did the money come from? Is it the private sector? Is it coming from the City coffers or the County coffers? But more importantly, what dollars were spent and in how many cities have we advertised Pittsburgh, the number one liveable city? I repeat, if my information is correct, it's maybe in one out of ten major cities.

I'd like to make that in the form of a motion unless you're willing to do it on your own, to request from the Greater Pittsburgh Office of Promotions what cities they've advertise in to date, what the budget is, where the money came from, and then we will be dealing in reality and have a little more information and not dealing in a vacuum. I think your idea is wonderful but I think we ought to start at the beginning.

On the second item. My colleagues have talked about, we ought to be talking about specific items during budget time. And I think what's really being said here is prioritizing. What are our priorities? Let's put a little bit in perspective. Whether its a rate fee or whether its a tax, people of Pittsburgh take it out of the same pocket, out of their earnings. The Water and Sewer Authority, confronted with having to put \$28 million each into reservoir covers mandated by law, not by City Council, not by the City of Pittsburgh, not by the County, but by federal law, must do it within the next few years. They have a shortfall in 1988 dollars of between \$50 million and \$70 million. You're going to have to go out on additional bonds above the millions they've already gone out on for an additional \$50 million to \$70 million in 1988 dollars.

Now, they're talking about being able to see water to some of the communities to offset that debt and debt service, and that would be wonderful. And they're talking about getting money from Pennvest, from the State. But in reality, the real world is that the Pennvest money will go for secondary treatment plants. They have priority over the City. If we get anything, it will be \$5 million which is a long way from \$70 million. That's one of the items our taxpayers are going to be confronted with.

We all know that water rates have gone up. We all know that Alcosan rates have gone up, for whatever reason. They've never gone up before, but they have gone up. And then we know that the Water Treatment Plant for the City of Pittsburgh has to dispose of its residue, and that goes, again, to Alcosan, and that's going to go up. And then you have the Zoo, the Aviary and the Conservatory which are subsidized by the debt service which means, for anybody

listening, that means that the City resident puts their hand in their pocket and pays the debt, even though the non-City residents use these facilities. Three-quarters of the people are non-City residents as opposed to City residents. I'm not saying that we want to discourage people from coming in, but that's what I've consistently said let's give the Zoo to the County.

And now we get to the real big issues. That's only talking about small dollars that are going to hit us on top of our four percent wage tax, whether it's school or wage. We're going to get to the fact that the cost of picking up our refuse is going to become astronomical. We all know that we're going to go from \$6 a ton to something like \$38 a ton, if not in the next five years, certainly in the next ten years. Probably in five years. And that's something like \$1.6 million to something like \$7 million. Now, in order to maintain that dollar figure at \$38 a ton or at \$7 million, an increase of \$6 million, approximately, if we go to recycling, if we can raise the money recycling, you have to build a separation plant, if we don't do it at source. We're going to have either an incineration, cogeneration plant. Whatever the technology is chosen by the Administration, obviously, the best we can hope for is a 90 percent funding from the State of Pennsylvania. If we will agree to separate four items, presumably paper, glass, maybe cardboard, bottles, aluminum cans. If four items are recycled, then we get 90 percent of the funding. So we will assume we will meet that criteria. There's still ten percent we have to match and millions and millions of dollars to build a separation incineration plant. And then we have to pay for the maintenance and we have to pay for the operation and the staffing.

So, what I'm saying, basically, is that it's wonderful and I agree with Mr.

Ferlo that there should have been somebody as a caretaker looking after the public property, the parks. No question. And we should have monies allocated to take care of the statues. But maybe we need to have an adoption by corporations of statues. Maybe we could go back to what I suggested ten years ago. The overlooks have a sign, "Maintained by Alcoa" or "Maintained by USX" or "Maintained by Westinghouse", and they get some publicity, not taking the recognition of who the facility is named after. It could still be the Jones Overlook, named after one of the first City Councilmembers, but maintained by so and so. Maybe someone will adopt a statue or a parklet. But the real priority, and we better start thinking about priorities, and I've talked about this for ten years and nobody wants to listen, is that we can't wait until the Administration presents us with a fait accompli and says, "Here's my budget." Why don't we sit down early in the year, about January, February, March, April, and say, here are the observations of Councilmembers. I see what's going on in Hays; that's a priority. Those people are being flooded out of their homes. And maybe the next thing is what are we going to do about picking up our refuse confronted with the new laws. And maybe the next thing is, what are we going to do about the extra dollars for water, Alcosan, and covers for the reservoir.

You've got to prioritize the tax dollars and that gets to the end of this conversation, and that is, we've all got to support vigorously and non-politically, this imminent tax reform coming up November 14th. In any way, shape or form that any of us have any concepts or ideas, please, activate them. And it doesn't really do any good, with all due respect, and I'm not picking on my colleagues and I don't mean it that way, I promise you I don't mean it this way, but

going to Harrisburg is not really very effective because it's like writing a letter to the Mayor's Service Center that goes into the circular file. When you write a letter to the editor, something happens.

I'm asking my colleagues, if they have any connections with anybody that they can get to speak out for tax reform, please do that. That's what I'm doing. That is one of my major functions and something I'm working on eminently and I ask all of you to do the same thing.

That's what I've got to say on that subject and I would hope that the President of Council and the Finance Chairman would set up a meeting first of all with this body to determine what we think the priorities are because we know, as well as the Administration, what the priorities are. Then we assign our budget office to meet with the budget office of the Administration and say, what dollars are we going to have and what can we do. And I wouldn't be surprised to find out that Mr. Wagner is already doing that.

But I think that's what we need to be doing and since once you have the floor you can talk about everything and we don't talk about a subject and change to allow other colleagues to interject, which I think is the right way, I'll continue with another item.

I would like to request from, I believe it would be Public Works, the rationale as to why various streets are being repaved such as Shady Avenue at this point. I have had five individual calls in my office asking me, and I don't know the answer, why are they repaving Shady Avenue again? It didn't need doing. Does anybody else get those calls? No. I don't know what the answer is. I'd like to know why are they redoing it, did it need doing, and is this the

matter of paving your way into office. Now, it may not be. There may be a legitimate reason. They may have had to put in an electric line. Equitable Gas may have dug it up. We have a central number when we're going to do any work in that area.

I would like to make an official request, Mr. Perry, if I have the agreement of the President of Council, so that we have our own words, we say what is here for the record, that I want to know what streets were repaved and a schedule for payment, what was done last year and this year, and the rationale for them. Did those streets require repaving? And I want to see some photos of before and after, at least before, because it's my understanding that people are laughing. They think it's a joke.

Now, I must tell you that I don't get to every nook and cranny in the City to see whether a street is torn up. There are enough of them there that need repairs. McArdle Roadway is like Burma Road now; it's all coming up, the upheaval of the water.

And I think that is a very important item. Would you get that letter out and is that with the concurrence of this Council? Could I make that in the form of a motion, Mr. President?

Mr. Coyne seconded the motion.

The Chair:

I would suggest you don't do it this way. If it were me making it and I really wanted to find out, I wouldn't put it in the form of a letter because you're going to get a letter back. What I would do is just have a post agenda after next Wednesday's meeting or something so you can get there with some dialogue and if you want pictures and all that. I would



do it that way but it's up to you; you do what you want.

**Michelle Madoff:**

I think you're right and I'm going to take your advice because you're right on the button. I appreciate the help. Unfortunately, I don't know that I can do it this Wednesday because I have an urgent meeting that pertains to City business that's been planned for a long time. I will do it a week from Wednesday. Would you schedule it? I think it's a brilliant idea. Thank you, Mr. President.

**The Chair:**

Do you withdraw your motion?

**Michelle Madoff:**

Yes I do.

**Mr. Chair:**

Mr. Coyne, do you withdraw your second?

**Mr. Coyne:**

Yes, sir.

**Mr. Lyons:**

Mr. Chairman, very quickly. I know we just recently spoke about the brochures of Pittsburgh. I don't feel that while it's good for Council to observe what is needed, I think the Convention and Visitors Bureau is already in place and they have the avenues and the vehicles to the private sector that brings a lot of money in for their needs, their number one job is to sell the City of Pittsburgh for conventions and anything else to increase our tax base and our incomes of the filling of the hotels, the restaurants and everything else. And I

think before we would do anything as Council, I think we should contact the Convention and Visitors Bureau to see what we can have for it.

**Mr. Wagner:**

Mr. President and members of Council, on the same issue. I'm pleased Mr. Ferlo brought the issue up. I'm still of the belief, and I know a couple of you that were here back in 1985 and 1986 that supported me on the motion to put a marketing coordinator in the budget to be in the Mayor's Office, I think was a good idea then, it was never fulfilled. The position was never filled. I still think today it's a good idea, not that we want to create a new department but that we would have someone out of our over 5,000 employees in City government marketing the City of Pittsburgh, promoting the City of Pittsburgh, and working with the Convention and Visitors Bureau, the Chamber of Commerce, the Golden Triangle Association, the Hotel Association, the State Government, and the film producing area, and many other ways in which we can promote the City of Pittsburgh. Maybe we should entertain the idea of putting that job back in the budget for 1989.

I would like to say, though, and one of my reasons back then, going back three years ago, was in 1986 anyway, I didn't know in 1985, was that in the first quarter of 1985 we were rated the most liveable city in America. That timeframe is coming to an end, and it's the end of 1988. Now, in the first quarter of 1989, Rand McNally will be rating the cities and coming out with those ratings again. Hopefully, the City of Pittsburgh will be the most liveable city the second time around; however, that's very difficult. If it is or it isn't, either way, I think it's to our advantage to consider putting a position back in the budget of marketing coordinator that

would be in the Mayor's Office that could work with all those organizations, the Urban Redevelopment Authority, the Planning Department, our various departments with an idea such as what Mr. Ferlo said, going to conventions, promoting conventions and tourism in the City of Pittsburgh. It can do nothing but benefit us if we spend \$50,000 or \$100,000 simply for that. In a year we could get back 100 fold in tax dollars and jobs and many other ways.

The last item I just want to refer to was the tax reform and I'm glad Councilwoman Madoff brought it up again because I think we should talk about it frequently, hopefully every week. I don't think anyone has a magic formula for tax reform.

A couple of us were in Harrisburg last week and hopefully a whole lot of us will go back in a few weeks. It has to happen; if it doesn't happen, the City is going to have serious problems. There's no magic formula for it, though; it simply has to be a total blitz, a total lobbying effort, at all level of government, all elected officials getting involved from the highest level on down, and the public getting involved with their State Senators and their State Legislators. Thank you.

#### **The Chair:**

I have something to say. Since this tax reform has been brought up by Ms. Madoff and by Mr. Wagner, I don't agree with the package that's before the State House and the State Senate. I think, and this is just my opinion so I will not lobby for that particular tax bill and all of you can, and that's fine. We agree to disagree without putting personalities in it. I think it's the wrong thing to do. I think you're hurting the people that cannot afford to pay that particular tax bill.

If anyone would have used a little ingenuity, we have a bill that's already enacted; we have what is called the occupation tax. If you want to be fair with everybody, and I'm surprised that some of our illustrious representatives didn't think of this, or maybe they have and they just can't get it passed, but if they use some of their muscle, maybe they can, that we have a graduated occupation tax. If you make \$10,000 a year, you pay one-tenth of one percent. And it keeps going up. If you make \$100,000 a year, instead of paying \$10, you pay \$100. If you're like Roderick or Hillman, and God bless them because I wish I was, and you make \$1 million, then you pay us \$1,000 for working down here. If you make \$5,000 a year, you pay \$5. And that's the simplest way and the easiest way, and the act is already in place. And all the Legislators have to do is amend it. It wouldn't hurt the legislators from Allegheny County, it wouldn't hurt Fisher from Greentree. That's all they have to do.

#### **Michelle Madoff:**

Mr. Woods, I was going to ask you later what you meant by your letter to the editor, why the sales tax, what your specific objection was, and I gather what you were saying was that that sales tax was going to hurt the poor who have to buy things as opposed to the optional tax. I wanted you to clarify it for me because I needed that information for something else I was doing. But I'm glad you raised it.

While I agree with you in principle that you're probably 1000 percent right, but I think you would agree that all of us are caring people and I think we all agree that we want to help our community, have been unable to get a graduated, logical tax through, that those who have more should pay more. Some people would rather have a tax on the

commuters than on the City residents. The problem is the way the law is presently written, we'd have to double whammy our own citizens so that is not a very effective way.

I think that it's imperative that we clean our own house. I can show you five or six places in this City where we have utter complete waste of millions of dollars that the money could be there in our budget. Any one of us who knows anything about the operation of the City, and it's one of the things you require by being here a while. You don't learn your craft, become a Councilmember, in one term. It's very difficult in ten years. And the fact remains, I can pinpoint where we have — We know I've talked about the giveaways when you say we've got \$70,000 to demolish a fire station that should cost nine or fourteen and then we get \$336,000 on top of that because somebody finds subterranean cavern.

I know I'm boring you, it's the same old story, but it's millions of dollars and thousands of dollars every day and millions over the years. McArdle, seven years to redo the same road. Grant Street Phase II, \$1 million over the estimated cost over a top engineering firm, Rust Engineers. The way we collect money in the City. There are so many ways that we can save millions of dollars that I feel I cannot, and I'm doing a complete 180 degree turn, go to the suburbanites and say, "You support us other than in a fee for service", meaning the Zoo where you pay an extra fee and so on. I don't want to tax the suburbanites until we clean our own house.

But in response to what you said, and I think you're right, Mr. Woods, is that we have to go with something. This City is in such financial crisis. Don't believe me. It is not a political issue.

All you have to do is look at Mayor Caliguiri's last two budget statements and in both budget statements he said that we're in deep trouble and that he was barely able to hold the line in the year that he was still living. And we knew we were going to be confronted with these things and that's why I'm saying you're talking about statues and we're talking about trees? How about talking about drinking water and people being able to afford on a priority basis. I don't think we disagree. And I think we have to get out there and support whatever we can get in tax reform so that we can have something to build on. Eventually, perhaps we can see the light, our Legislators may get a little calcium in their spines, and we may be able to get a graduated tax, we may be able to get something else passed. But something has to be done right now and I wish that this concept of the graduated tax had been worked on. Perhaps if we talk to each other more instead of being antagonists all the time. If we got together and said, okay, why don't we support this, why don't we hold meetings throughout the City, why don't we go out to the County, why don't we go out to the State, even City Councilmembers, and get support for our position, your position, Mr. Woods, which is a good position. But it's tough to do now. Wouldn't you agree its going to be tough?

#### The Chair:

But why should we urge the passage of a tax package that will be there and we'll be stuck with forever and you know it and I know it. Sales tax started at what percent and now we're shooting for seven percent. And it's going to happen and the people that can't afford to pay are going to pay. I can afford to raise my occupation tax from \$10 to \$35 because I'm making \$35,000 a year. But somebody that's on a fixed income, an unemployed individual, a welfare

recipient, a retiree, a pensioner, and elderly senior citizen, they can't afford that.

The property tax is not killing these people these elderly citizens. That's not what's killing them. The utility bills are killing them and now we're going to give them another tax that they can't afford to pay. Wage taxes, they don't have to pay them because they're not working anyway. Occupation tax, they don't have to pay it. But a seven percent sales tax is really going to murder these people. They need essential goods and that's what it's on.

It was said to me, somebody told me that I don't know what I'm talking about.

**Michelle Madoff:**

I didn't say that.

**The Chair:**

I know you didn't but some reporter said some other individuals said that and I said, well, why don't they come and ask somebody once in a while. We're trying to do our job here and whatever you people lobby for and whatever the Administration lobbies for, that's fine. Ben Woods is not lobbying for a sales tax. I think it's a terrible, terrible tax. That's my opinion and I respect all of your opinions.

**Mr. Ferlo:**

Just very briefly, Mr. Chairman, because I have to call you to task on your comments. I wish for one day that we could become the State Legislature and they could become the City Council and we could pass a whole bunch of laws. I'd like to see us amend the Constitution of the Commonwealth so that we could

have a progressive system of taxation which is the problem right from the beginning.

Secondly, I'd like to see us restore corporate income taxes in the Commonwealth to their pre-1970 levels of a little over nine percent and not the seven percent that we have now. I'd like to see the state restore the fraction that they took away under the Thornburg Administration of the personal income tax because it basically amounted to about 35 cents a year in our paycheck, would have robbed the State Treasury of over I'd say \$60 million or \$70 million a year. I'd like to see us have a state taxation and a revenue program returning revenues back to cities like Pittsburgh that have close to 50 percent of our land now tax exempt because of the regional nature of our hospitals and universities and sports facilities, etc.

If I could have my way, I could design many things including not building an MX missile and having star wars and the crazy federal budget that we have and we might have some sanity in this State and this City. But we don't live in a vacuum and this is not an island. And right now, the tax reform package, and let's not even call it tax reform, let's just call it a package that changes the mix of taxation in Pittsburgh and in Allegheny County and the Commonwealth is the only ballgame in town. And whether we like it or not, with all of its pitfalls and problems, I think it's important that there be maximum unity in this City and the County and small municipalities throughout the Commonwealth to make sure that pressure is put on the State Legislature. As long as it took both Houses to finally get to this point and now being in a conference committee, I think it's irresponsible for us to throw it out the window. And that's, to some extent, what you are suggesting.

I agree with your criticisms in terms of the sales tax. I note your observation of concern on what you feel is a lack of leadership on either County Commissioner or a particular Legislator from the North Side, but that notwithstanding, I think it's critical that there be maximum unity and I've urged the League of Cities on the 14th of the month when the Legislature reconvenes to do two things; one, is I think the first demonstration filling the Rotunda on our Light Up Day should be Light Up Day in Harrisburg, and that should be Republican office holders from school boards and township supervisors and commissioners. And they should have a Republican lobbying day in Harrisburg on the 14th to push for this package. Later on in the week I think Councilmembers, ourselves, and other Democratic and Republican and non-partisan officer holders, bi-partisan, should again return to put mass pressure on the legislature for the conference committee to come out with some report.

It's important to note, Mr. Woods, that on the issue of the change in the mix of taxes, the most we could hope for in this package is the possibility of lowering our four percent one percent, and because of the change of the mixes of taxes in this package, it will be likely the scenario that the County will increase taxes on wages in the County and reduce it on property. There would be less of a disparity between our four percent and the County's one percent; it would more likely create a scenario where they will pay three percent in wages or two and a half percent and we will pay three, and I think without that great indicator of the two percent we stand to deal with the issue of people fleeing the City because of the perceptions around the four percent wage tax. So, I disagree with you strongly.

#### **The Chair:**

I don't want to get into a debate here.

#### **Mr. Coyne:**

Mr. President, I'd like to agree with Councilman Ferlo. This bill, the Senate Bill and the House Bill, leave a lot to be desired from the City's point of view. However, as he said, this is the only ballgame in town. I think that an idea that has been bantered around in the past and recently has been picked up by Controller Flaherty about State revenue sharing based on the percentage of tax exempt property in an area is something that would be most beneficial to the City of Pittsburgh. However, it doesn't seem as though we're going to be able to get something like that. It seems that if a compromise has to be hammered out politically within the next three weeks after election day, if this is the only ballgame in town and we do stand a chance of gaining some revenue, even if it is to reduced the wage tax by a half percent, it's something that we need to accept now for something that's reasonable and that also works in the future for further reform whereby maybe we can work on a idea that you mentioned about a gradual increase based upon somebody's salary.

But I think we shouldn't just throw the baby out with the bath water right now. It's something that we need to work on in conjunction with our other local representatives. And, as Councilman Ferlo said, get more Republican involvement because this State tax reform program doesn't only help the cities of Pittsburgh and Philadelphia but also benefits a number of the smaller communities and school boards throughout the State where they have a lot of Republican elected officials.

**Michelle Madoff:**

I think we're all pretty much saying we need some help and whatever the help that's going to be we're going to have to take the best we can get at the moment and I understand where Mr. Woods is coming from. But the fact remains that you pay the four percent wage tax whether you want to or not. But you don't have to go out and make purchases that are above the necessity. All of us buy things that are not perhaps necessities and I think there is some exemption, if I'm correct, there are exemptions on taxes on certain purchases like milk and some food. I don't think they will be taxed at all. So, I don't think the necessities are going to be taxed and I think that's important to put that in perspective so that anybody listening will say, "Oh, they're going to tax my child's milk out of its mouth or the shoes off its feet."

**The Chair:**

I just want to say that I strongly disagree with you even though I respect all of you. The sales tax is a wrong, wrong thing. Everything you but in a restaurant is taxed. The senior citizens goes out to McDonalds and they buy a \$2 hamburger, they pay \$2.12. Our residents of this City are made up of the senior citizens, the unemployed and the poor. The average middle class people are leaving this City and buy us urging this tax package we are really hurting our own City residents. Look at the figures, ladies and gentlemen. Our citizens that vote for us are senior citizens, the unemployed, and unemployable. That's who votes for us. That's who lives in the City now. The people that make our kind of money live out in the bedroom communities. They come here to work and they go back home at 5:00.

What we have to do is just do the progressive taxing. It's an occupation tax; it's not a wage tax. I think if you can get the other outlying legislators to support this thing, they won't support a commuter tax, they'll support this tax if someone goes down there and asks them. Why just say it's the only ballgame in town? Legislature goes back in in January. Somebody said they were fighting for tax reform for 20 years; well then we can wait one more year. You don't have to throw it out today because you're going to put a tax on you'll never get back. These legislators that live in these outlying communities will push this tax because when they vote for a sales tax, that's worse than having a commuter tax because all the people do not live in this City or do not work in this City. They live out in Greentree or Bethel Park. They don't want a higher sales tax so they'll go out there and they'll push for this progressive occupation tax. Subject closed.

**Michelle Madoff:**

On another subject. Mr. Wagner suggested that he reinstitute his concept of a marketing coordinator for the City. As he knows, I supported him on that. Completely. As a matter of fact, if memory serves me well, it passed.

**Mr. Wagner:**

Twice.

**Michelle Madoff:**

Council proposes and the Administration disposes. It's a joke. One of the things that we do when we're elected is we offer ourselves as scapegoats. The fact is that it's a very good suggestion and it was passed. Now I'm going to ask my colleagues a question. Do we have the courage, do we have the guts and do we have the

fortitude to say, if the Administration doesn't want to do it, we're going to put an allotment into our budget next year and we're going to hire somebody.

**The Chair:**

As long as I get the job.

**Michelle Madoff:**

I'm very serious about this. What would be so terrible if we went out and hired somebody who is a promotion firm, someone who is knowledgeable in promoting this City, and since the Administration has shown twice now that while we passed this bill, they're not going to fill it. Why don't we put \$100,000 in next year's budget, take one of those overruns that we don't have to have, the giveaways that we don't have to have. It pays for itself. I'll show you where to find \$1 million next year for your finance department. Like this, without any costs. Take \$100,000 and put that into hiring somebody that this Council will hire and have go out and do our promoting. We'll probably be told it's illegal because everything we do is illegal.

**The Chair:**

It's not illegal; we can discuss it at budget time.

**Mr. Ferlo:**

Mr. Chairman, very briefly on a related, separate point. As we draw close to the end of October, we were to receive I believe by the end of October a request for proposal from the Department of General Services in relation to the hiring of consultant on the issue of the Act 101 and its implementation. This was coming out of the last post agenda that I sponsored a couple of months ago. The point being,

and Michelle addressed this issue a little bit earlier, that there are a number of alternatives to deal with the mandatory recycling. There were different opinions on Council; I'm pushing the notion of the waste separation facility. There's also difference of opinion between the Administration and many people on whether we have sewer separation versus centralized separation.

There are many points that need to be addressed from incineration to energy to fuel to all the different alternatives. I believe the Director indicated that by the end of October there would be a request for proposal going out to hire a firm to deal with analyzing all the different options.

So, at this time I'd like to ask that a letter be sent to the Administration asking for the status of the RFP and what their plans are relative to the hiring of the consultant.

**Michelle Madoff:**

Second for discussion. I don't know whether you're aware, but it's something that I've been working on for 20 years. There are hundreds of consultants out there who could give you that information who won't charge you a dime and you don't need to pay for a consultant. Everybody would like to get the contract from the City; four firms have called me already.

I've picked up something from the newspaper and wrote to one of the firms. A Baltimore firm, for example, you were there, were you not, to observe the separation plant in Baltimore. I've written to that firm and they're going to send us, and I will share with my colleagues, all the viable, all the alternatives, all the cost factors involved. You don't need a consultant and you don't need to pay the taxpayers'

money away foolishly.

**Mr. Ferlo:**

I do disagree with my colleague. I think we do need a consultant because there are lots of monies and different alternatives involved. We don't need to spend a lot of money on a consultant but we do need some expertise that I do not think exists currently on this staff.

**Michelle Madoff:**

I volunteer to give it to you for nothing.

**The Chair:**

All in favor? Opposed?

WHICH MOTION PREVAILED.

**Mr. Wagner:**

Mr. President and members of Council, just one short comment. We've had some dialogue here for about the last 45 minutes on various issues and, actually, I think its very healthy. I think it has been good dialogue, good debate, not in a hostile sense. And, to be frank with you, I think that's what the people want relating to important issues like tax reform, marketing the City, trash disposal, and many, many other things. I hope we can do it more often.

**Mr. DePasquale** moved to approve the Minutes of Monday, September 26, 1988 and Monday, October 3, 1988.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, October 31, 1988

No. 42

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, October 31, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. DePasquale presents

No. 1591 WHEREAS, a very special art exhibit will soon be taking place in Pittsburgh on October 28 through November 18; and

WHEREAS, the Harmarville Rehabilitation Center in sponsoring the 1988 HARMARVILLE INTERNATIONAL, which will be held at Chatham College; and

WHEREAS, this juried show is an excellent opportunity for artists with physical disabilities to exhibit their original works of art, and this years show includes 180 pieces of art by 84 artists; and

WHEREAS, the aim is to encourage independence as well as to gain recognition for outstanding artistic accomplishment; and

WHEREAS, the three distinguished jurors chosen for this years event include Herbert Olds, Professor of Drawing at Carnegie Mellon University, Carol Siegel, Gallery G; and Thaddeus Mosley.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 27 - November 18, 1988 as a salute to the Harmarville International in recognition of the abilities and artistic accomplishments of artists with physical disabilities.

Mr. DePasquale moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

**Mr. Pollock presents**

No. 1592 WHEREAS, the INTERNATIONAL STUDIES PROGRAM of Schenley High School was incorporated in 1983, and DR. NATALIE APPLE and NERETTA TROXELL are the International Studies Coordinators; and

WHEREAS, the goal of the INTERNATIONAL STUDIES PROGRAM is to encourage intercultural understanding and communication between high school youth of various cities in the United States and Israel; and

WHEREAS, 16 high school students from Jerusalem arrived in Pittsburgh on Friday, October 28, 1988 to partake in this program for 10 days and they will be hosted by INTERNATIONAL STUDIES magnet students at Schenley High School; and

WHEREAS, these Israeli students will be experiencing the social, cultural, and educational environment of Pittsburgh; and

WHEREAS, these Israeli students will be, in return, providing the Pittsburgh hosts with knowledge of their own homes, schools and communities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of October 31, 1988 through November 6, 1988 as "SCHENLEY-ISRAELI TEEN INTERNATIONAL EXCHANGE WEEK"; and

BE IT FURTHER RESOLVED, that the Council commends DR. NATALIE APPLE and NERETTA TROXELL for their dedication and fine work in making this worthy program so successful in that it provides intercultural awareness between the hosts and their families of the United States and the very welcomed

visitors and their families of Israel.

**Mr. Pollock** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

I have with me Dr. Natalie Apple who will introduce some of the youths who will comment on this resolution on the program.

I just want to say that I think it's a very exciting project and what's interesting and unique about it is of that the 16 hosts of the 16 Israeli children, none of them are Jewish. And it really is an inter-cultural, inter-denominational, inter-faith program that is unprecedented in my memory. I want to thank the people at Schenley for doing this and offer a warm welcome of the City of Pittsburgh and of the government of the City of Pittsburgh to our Israeli friends who are visiting us. Thank you very much.

**Dr. Apple:**

Thank you, Councilman Pollock. I'd like to introduce first two Schenley students, Jason Carvelle and Katie Shuitt.

**Jason Carvelle:**

I would like to thank the members of City Council as well as the Mayor's Office for giving us this opportunity to be down here today. I'd like to say that it's very interesting to be a part of this proceeding.

I'd like to say that the program so far has been a great success and we've built a good relationship between us and I

think as, Councilman Pollock said, the inter-faith and the inter-cultural exchange is very, very helpful for both of us, both the Israeli students as well as the Americans.

**Dr. Apple:**

I'd like now to introduce Leare and Inot, two Israeli students and their chaperon, Uval.

**Leare:**

First of all, it's a great honor for us to be here. We think this youth exchange between America and Israel is very good and wonderful. We want to take home the feeling that the City of Pittsburgh gave us. Thank you very much.

**The Chair:**

Thank you all for coming.

**Mr. Pollock:**

My next resolution was read on Friday at a ceremony in Sheraden.

**Mr. Pollock presents**

No. 1593 WHEREAS, EILEEN C. MULDER passed away on June 11, 1988; and

WHEREAS, EILEEN MULDER had dedicated her life to caring for her family and to serving her community as few others have; and

WHEREAS, EILEEN MULDER had been President of the Sheraden Community Council, had been a Board Member of the Goodwill Plaza Apartment Building and had been an active member of the Friends of the Library, the Sheraden Civic Club and the Sheraden Senior Citizens Organization; and

WHEREAS, EILEEN MULDER had been a Secretary of the Democratic Committee of the City of Pittsburgh's 20th Ward and a long time, active and diligent Democratic Committee Woman, and in both capacities, she served her Party and the people of Pittsburgh by assisting her neighbors, by registering voters, by educating the public and by encouraging participation in the democratic process; and

WHEREAS, EILEEN MULDER had been a Navy veteran, having served as a Pharmacist Mate during World War II, and had been an active member of the American Legion, East Liberty Post No. 5; and

WHEREAS, EILEEN MULDER left her husband, HARRY, two sons, HARRY, JR. and THOMAS, and three daughters, KATHLEEN MIHLFRIED, PATRICIA PETRUSCH and DENISE CARR, a sister VIRGINIA GEIER, a brother, TED CARR, and 10 grandchildren; and

WHEREAS, besides leaving her family, EILEEN MULDER left many, many caring and devoted friends, and a legacy of love and sincerity; and

WHEREAS, EILEEN MULDER was a model of grace, charm and compassion who helped many people during her lifetime, and she set a standard for service, integrity and dedication that all Pittsburghers should strive to emulate.

NOW, THEREFORE, BE IT RESOLVED, that the Council and the people of Pittsburgh express its deep gratitude to EILEEN MULDER, a very special woman who gave so much and who shared her life with so many; and

BE IT FURTHER RESOLVED, that as a very small token of appreciation for her lifetime of service and devotion to the people of Pittsburgh and as an

eternal memorial to this uncommon woman, the Council and the people of the City of Pittsburgh dedicate the tree outside the Sheraden Senior Citizen Center to EILEEN C. MULDER; and

As this tree grows and flourishes, spreading beauty and giving joy to all who encounter it just as EILEEN MULDER did, may the people of Pittsburgh always remember the beauty and joy that was EILEEN MULDER.

**Mr. Pollock** moved to adopt the resolution.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Pollock:**

I just want to say that we did have a very lovely, beautiful ceremony on Friday where the tree was dedicated. There are many things, as I said on Friday, for which I'm grateful that politics has brought me, but there's nothing that I'm more grateful for than having had Eileen Mulder come into my life as a result of getting involved in politics. She was truly a very, very special woman and I cannot think of anyone who worked with her, worked against her, or ever came in contact with her, who would not say that she was one of the finest women they've ever encountered. There was no one that would say a bad word about her. We all miss her very, very much. Thank you.

**The Chair:**

Thank you, Mr. Pollock.

**Mr. Coyne** presented

No. 1557 Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled:

"Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing EC 88-30 by \$125,000.00 and by adjusting the Summary Totals. EC 88-30 is being increased to cover the emergency replacement of the roof on the Aqua Zoo to prevent further damage to the interior.

Also,

No. 1558 Resolution amending Resolution No. 362, effective May 31, 1988, entitled: "Providing for an Agreement or Agreements or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Miscellaneous Renovations to the Pittsburgh Aqua Zoo; and providing for the payment of the cost thereof," by increasing the total project allocation by \$125,000.00 from \$116,536.00 to \$241,536.00, chargeable to and payable from the following Code Accounts: This amendment is necessary to provide sufficient funds for the emergency replacement of the Aqua Zoo Roof to prevent further damage to the interior.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. Coyne** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Pollock** seconded the motion.

Which motion prevailed.

Also,

No. 1559 Resolution providing for

the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$625.00 in payment of modifications to the security system at the Highland Park Maintenance Shop, payable from Code Account EC 86-59.

Which was read and referred to the Committee on Finance.

Also,

No. 1560 Resolution amending Resolution No. 244, effective April 20, 1983, entitled: "Providing for an Agreement or Agreements for architectural/engineering services and a contract or contracts, including the use of existing contracts for construction in connection with alterations at Special Populations Programs Centers to accommodate the physically handicapped; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$1,333.91 from \$71,000.00 to \$69,666.09, chargeable to and payable from Code Account CDLB 82-09.

Also,

No. 1561 Resolution amending Resolution No. 122, effective March 2, 1983, entitled: "Providing for an Agreement or Agreements for architectural/engineering services for design in connection with the construction of improvements for handicapped accessibility at the Downtown Public Safety Building; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$5,447.50 from \$10,000.00 to \$4,552.50, chargeable to and payable from Code Account CDLB 82-09.

Also,

No. 1562 Resolution amending Resolution No. 800, effective September

22, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Renovations of No. 11 E.M.S./No. 1 Rescue Headquarters; and providing for the payment of the cost thereof," by increasing the total project allocation by \$68,246.03 from \$110,000.00 to \$178,246.03.

Also,

No. 1563 Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of No. 15 Fire Station located at Lemington and Missouri Streets at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 88-55.

Also,

No. 1564 Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of Public Safety Facilities at Various Locations, including but not limited to #38 Fire Station Truck Bay Floor and Apron Repairs, #22 Fire Station Window Alterations and #6 Fire Station Improvements to Bunk Room at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 88-53.

Also,

No. 1565 Resolution Repealing Resolution No. 551, effective July 15, 1983, entitled: "Providing for a Contract or Contracts, including the use of existing Contracts for construction in connection with Handicapped improvements and accessibility at the Public Safety Building at a cost not to exceed \$40,000.00, chargeable to and payable from CDLB 82-09 - \$25,310.00 and CDLB 83-15 - \$14,690.00.

Also,

No. 1566 Communication from Michael Coyne, Councilman, requesting authorization for Joseph Cusick, Administrative Assistant, to attend the Dun and Bradstreet's Basic Business Writing Clinic, January 9, 1988, at the Pittsburgh Hyatt, PA, at a cost not to exceed \$100.00, payable from Code Account No. 1001-1, Miscellaneous Services, City Council & City Clerk's Office.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1567 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Craig Merritt, Administrative Assistant, Director's Office. and Commander Edward Patterson, Bureau of Police to attend the U.S. Conference of Mayor's Traffic Safety Meeting, in Washington, D.C., November 28-30, 1988, at a cost not to exceed \$459.00, payable from the PSTA Code Account. Permission is also requested for use of a City vehicle. We are requesting permission for two individuals to attend this conference because Craig Merritt of the Director's Office will be coordinating the City-wide Seat Belt Campaign and Edward Patterson, Traffic Commander will assist in this campaign.

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1568 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing and supplying neighborhood street signs throughout the City of Pittsburgh at a cost not to exceed \$1,690,000.00.

Which was read and referred to the Committee on Public Works.

Also,

No. 1569 Resolution transferring the amount of \$1,000.00 from Code Account 1630, Salaries and Wages, Regular Employees, to Code Account 1620, Salaries, Regular Employees, all accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1570 Resolution amending Resolution No. 176, effective March 30, 1988, entitled: "Resolution providing for a Contract or Contract, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof," by increasing the total allocation by \$100,000.00 from \$450,000.00 to \$550,000.00, chargeable to and payable from Code Account PW 88-01, Citywide Resurfacing Program.

Which was read and referred to the Committee on Public Works.

**Mr. Ferlo** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1571 Resolution providing for an Agreement or Agreements with the

Arlington Civic Council, for Professional Services in relation to the South Side Sooners Football Program, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, (Index Code 183806), Miscellaneous Services, Department of Parks and Recreation. —  
**-(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Lyons presented**

No. 1572 Resolution transferring the sum of \$6,712.00 from Code Account 1102, Salaries and Wages, Regular and Temporary Employees, to Code Account 1103, Miscellaneous Services. This request is being made to cover the cost of providing sets of the new Series 2 - topographical maps, and Series 3, Property maps for the various Departments within the City.

Which was read and referred to the Committee on Finance.

**Mr. Pollock presented**

No. 1573 Resolution providing for the transfer of funds totalling \$184,000.00 from various Code Accounts to various Code Accounts, Department of General Services.

Which was read and referred to the Committee on Finance.

**Mr. Pollock** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Wagner presented**

No. 1574 Resolution transferring the sum of \$7,000.00 from Code Account 10 Accounts Payable Prior Years, to Code Account 1802 Supplies, Department of Parks and Recreation. This transfer is needed to provide funding to purchase grass seed, fertilizer and other related personnel and volunteers from the Brookline community.

**—(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

**Mr. Wagner** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1575 Resolution amending Resolution No. 763, Item N, approved September 25, 1987, which authorized the sale of property in the 31st Ward, being a 2 Story, Frame house, located at 715 Ganges Way, designated as Block 135-M, Lot 101, to Carl R. Evans, Jr., for the sum of \$2,500.00. The reason for the above Amendment is that because of the extensive damages that have occurred during the purchasing process, the building will require considerable more additional repairs than previously anticipated, and the purchaser is asking a reduction of the sale price.

Also,

No. 1576 Resolution Repealing Resolution No. 374, Item D, approved May 6, 1987, which authorized the sale

of property in the 12th Ward, being a 2-1/2 Story, Frame house, located at 243 Carver Street, designated as Block 125-B, Lot 137, to Betty J. Holmes, for the sum of \$1,500.00. The reason for the above Repealing Resolution is that neither the Purchaser nor the Objector appeared at the auction, and the sale was cancelled.

Also,

No. 1577 Resolution Repealing Resolution No. 445, Item E, approved June 4, 1987, which authorized the sale of property in the 13th Ward, being a vacant lot, located at 7610 Susquehanna Street, designated as Block 175-B, Lot 276, to Thenia L. Croom for the sum of \$500.00. The reason for the above Repealing Resolution is that per correspondence from T.A. Title Company, requesting cancellation of the Sale, Mrs. Croom no longer wishes to purchase the property due to the fact that she will be moving away from the property.

Also,

No. 1578 Resolution whereas, City Council has heretofore enacted Resolution No. 181, Item E, approved March 25, 1988, authorizing the sale of property in the 13th Ward, located on Wheeler Street, designated as Block 174-H, Lots 47, 274, 276, to Kevin Vernon Mitchell, for the sum of \$1,000.00. The purchaser failed to comply with the Agreement of Sale by not securing the Title Search. Resolution No. 757, Item E, approved Sept. 26, 1988 is hereby repealed, and Resolution No. 181, Item E, approved March 25, 1988 is hereby reinstated, and the sale continued.

Also,

No. 1579 Resolution No. 786, Item H, approved October 10, 1988, which

authorized the sale of property in the 25th Ward, being a vacant lot, located at 111 Fountain Street, designated as Block 23-H, Lot 309, to Jean Stawecki, for the sum of \$400.00. The reason for the above Repealing Resolution is that the purchaser in initiating the sale, was not fully aware of the additional responsibilities involved.

Also,

No. 1580 Communication from Sophie Masloff, Mayor, City of Pittsburgh, requesting authorization for Nello Giorgetti to meet with State Legislators regarding the Tax Reform Package and other legislation in Harrisburg, PA on various dates through November 30, 1988, at a cost not to exceed \$2,500.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1581 Communication from James Turner, Director, Department of Finance, requesting authorization for himself to attend the Government Finance Officers Association seminar on Public Debt Administration, in Atlanta, Georgia, November 28-30, 1988, at a cost not to exceed \$1,155.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance. With the advent of the Tax Reform Act of 1986 and the Technical Corrections issued by the Congress and IRS, it is important that the Finance Department maintain critical levels of understanding of the new laws and methods of debt financing.

Which were severally read and referred to the Committee on Finance.



**The Chair presented**

No. 1582 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Section 8 Housing and other City related problems in the Sheraden area. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 1583 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the leasing of the Schenley Park Golf Course. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1584

Report of the Committee on Finance for October 26, 1988 transmitting sundry resolutions one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1472

A Resolution entitled, "Resolution transferring the aggregate amount of six-hundred eighty-five thousand dollars (\$685,000) from various Department of Public Safety Code Accounts, Code Account 49, and Code Account 41, Department of Finance, to Code Account 1443-3, Premium Pay, Bureau of Police." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1473

A Resolution entitled, "Resolution transferring the aggregate amount of nine-hundred and forty-five thousand dollars (\$945,000) from various Department of Public Safety Code Accounts, Code Account 49, Code Account 41, Code Account 53, and Code Account 1608."

Which was read.

Also,

Bill No. 1474

A Resolution entitled, "Resolution transferring the aggregate amount of one-hundred and eighty-six thousand dollars (\$186,000) within various Department of Public Safety Code Accounts." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1475

A Resolution entitled, "Resolution transferring the aggregate amount of three-hundred and eight thousand dollars (\$308,000) from various Department of Public Safety Code Accounts."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, on the first four bills regarding the transfer of code accounts in order to supplement the salaries, one thing I've learned since the Committee discussion on Wednesday is

that we are transferring money from non-salary accounts to salary accounts, which, I believe, is not traditionally done. One bad precedent that we're setting in approving this, and I hope it's not the case that we're sending a message to the Administration for the future, is that we could have a scenario where department directors will be padding budget and non-salary code accounts waiting for the end of the year when those transfers can be made. So, I would hope that in discussing the budget next month, we're not sending that signal out to them. So, I have a problem right off the bat with these transfers.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1479

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority

of law, in the amount of Sixty Thousand and One Hundred (\$60,100) Dollars in favor of Chambers Development Co., Inc. John Rangos, Jr., Vice President, for payment of Rental of Drop Boxes and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1488

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Forty-Six Thousand and Eight Hundred (\$46,800) Dollars in favor of Chambers Development Co., Inc. John Rangos, Jr., Vice President, for payment of Rental of Drop Boxes and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal, and providing for the payment thereof."

Which was read.

**Mr. Ferlo:**

On Bill 1488 and the others in relation to the money for Chambers Development, while recognizing that this was work already performed, I'm voting no on this legislation because I think very clearly this was work of an emergency nature that could have been done by the existing Department of Public Works and/or Environmental Services and it could have been disposed of in the existing landfill that we have on the existing contract that we have, and I'm also concerned about the lack of minority participation in the handing out

of that particular bid.

Also,

Bill No. 1500

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Fourteen Thousand Three Hundred (\$14,300) Dollars in favor of Chambers Development Co., Inc. John Rangos, Jr., Vice President, for payment of Rental of Drop Boxes and the Disposal of Materials due to the inability of the vendor under contract to perform the drop box services and the immediate need for refuse removal, and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

I apologize again for coming down with a severe case of the flu. Unfortunately, I have not had time because there have been some other pressing issues and meetings in my office all morning. I am a little bit confused, and I wonder if Mr. Ferlo could help me, on the Rangos, Chambers Development refuse removal. I've tried to find out from the Refuse Department whether this was because of the cutbacks in Personnel, whether this —

**Mr. Lyons:**

You're raising a question that I think I can answer.

**Michelle Madoff:**

I yield to Mr. Lyons.

**Mr. Lyons:**

The question is that back earlier

this year some of the minority haulers that had contracts with the City for removing refuse had been frozen out of having the places to drop their boxes. They couldn't get in, the landfills were shut out to them. Seemingly, Chambers was the only one that had a corner on this market. They kept BFI out too. Anyhow, since last Wednesday, I've talked to Fulton an length and I have a first-hand picture of it, and that is, he was allowed to drop 27 boxes a day at Chambers. But when the landfill was closed down by DER down in Carnegie, then Chambers would only allow them to drop three boxes. That's all they were allowed to drop and that's what created this problem. They had to leave their boxes because there was nowhere to drop them and then Chambers came along and scooped it up.

Now, the thing is, Fulton later, I had tried to help him, he had to take his jobs all the way to Youngstown. That's where he's been taking his refuse. But he had lost his with the City and I think it's a bad impact on him as a future person because they're going after his bond. There's \$120,000 some that's going to be taken off in bond fees to recover and certainly this is going to hurt the vendor when he tries to get a new bond. I'm not for the bill.

**Michelle Madoff:**

May I get clarification, Mr. President. Perhaps you could help me.

**The Chair:**

I'm not going to speak on the bill but it's not being explained properly. That's the bad thing.

**Michelle Madoff:**

If the independent hauler had the right to dispose of their loads at the

Chambers landfill, and Chambers denies them that right, and then comes along and says, "But I'll tell you what, we'll do it", and it's still going to the same landfill, then I think that's unethical. Is that correct or not correct?

**The Chair:**

I am not going to speak on the bill. I think that someone can speak on the bill — It's in Mr. Pollock's committee, General Services, and I am not going to speak on the bill. But I will say that I don't agree with what is said here.

**Michelle Madoff:**

I don't know. I'm asking if that's the case or not.

May I continue, please. The other evening I was Downtown and there's a fast food chain called The Express. I don't know if it's called The Express, period, or whether it's called The Express something.

**The Chair:**

Is this on the bill?

**Michelle Madoff:**

Yes, on the bill. It's about garbage.

**The Chair:**

Wait a minute. I don't want to hear about a fast food chain. We want to hear about paying three bills to Chambers, whether we're going to pay them or not pay them.

**Michelle Madoff:**

Okay, I yield. I'll talk about it afterwards.

**Mr. DePasquale:**

Mr. President, whether Fulton could comply or not, we still have to pay Chambers for services rendered. There's no way in the world we can get out of it.

**Mr. Ferlo:**

Mr. Chairman, let's not be confusing anything I said. First of all, Chambers Development saved the day in this respect. All due credit to them. They came in and fulfilled a service, specifically getting rid of mountains and mountains of garbage that has been talked about and viewed in the media. So, clearly, they fulfilled a responsibility and came in and helped save the day. The problem I have is that they should have not been contracted with. This work could have been done by the rental of some tandems and the hauling off of this refuse which has been dumped at the 29th Street City Garage by Director Botsford and the head of Environmental Services violating health codes and everything else. This could have been hauled off by the existing workforce in Public Works or in Environmental Services and it could have been taken to the landfill where we already have an existing contract. There's a separate issue on the future bid. Clearly, Fulton Hauling is out of the picture entirely; in fact, there will be legal action against this company for defaulting on not fulfilling their previous contracts with the transfer station, the roll-off boxes. That's a secondary issue that can be addressed in the future in terms of a future bid, which I assume Chambers would want or BFI or anybody else. But I'm voting no on this legislation because I don't believe that they should have been contracted for the work in the first place, recognizing the fact that they did, in fact, save the day and come in and clean up the mess.

**Mr. Lyons:**

The thing that I wanted to further point out is that when Fulton had it, and after they closed the landfills, as I understand, since last Wednesday and before, is that even per load went sky-high on them, like whatever they were dropping, if it was \$6 or \$7 a load it went up to like \$35 a load. And while I'm not for the bill, I think the fair thing is to pay for the work that has been done.

**Michelle Madoff:**

I want to thank everybody for clarifying it. What we're talking about now is the garbage down at our transfer station where we have our trucks and our repairs. This is not the first time for members of Council that this issue has come up. It has come up several times in the ten years I have been here. They've been called on it and they know that this shouldn't happen. It isn't like an accident that this storing of garbage, which is indeed a health hazard and we are indeed violating the health codes and not setting a very good example, and that I believe Mr. Ferlo is correct that we have a responsibility to set an example to other industries around the area.

I don't know how the General Services has allowed this to happen, why it was allowed to build up to this degree, and whether Chambers should get paid because they helped us out of a bind is a separate and apart issue from, I guess, the issue of are they keeping other haulers from dropping at their landfill because they own the landfill. We all know just by reading the media, when one wants to accept the stories and investigations and if one has been around the environmental issues for a number of years, that the issue of refuse, you know, garbage is gold. People who own the rights to garbage own the rights to lots of money. I don't know that we have

anything that we can do on the fact that Rangos, I was told, came in and removed this unhealthy condition for us, and if they didn't, in truth, create this condition by stopping the hauler from bringing the same refuse to the same landfill. What happened is that somebody is cut out who has a contract but the man who owns the landfill say, I'll take it and you pay me.

What Mr. Ferlo is saying is that we shouldn't have had to go to any hauler; we should have been able to dispose of it through our regular pick-up system. And then that gets back to the first question I asked; did this happen because we cut back on the number of refuse people? And there's going to be a hearing on that. If we had more refuse workers, could they have gone down to 29th Street and picked it up?

**The Chair:**

That's not the issue. I understand what everyone is saying but that's not the issue in front of us. The issue in front of us, on these three pieces of legislation, is does this Council want to pay for services rendered. That's all there is to it.

**Michelle Madoff:**

If we don't, they'll sue us and we'll have to pay lawyer's fees.

**The Chair:**

Do you want to pay for services rendered? That's all I can ask you.

**Mr. Wagner:**

Mr. President and members of Council, on all three bills the City has been put in a difficult situation with this contractor due to the environmental regulations placed on landfill operators.

Obviously, Fulton does not have a landfill themselves. Consequently, they had to subcontract out to take the refuse from the City, and I suspect even other companies where they pick up refuse, and they didn't have anywhere to go because there are less and less landfills and the costs are getting higher and higher to dump rubbish in landfills. Consequently, they could not meet the mandate of the contract; someone else came in and did the work. The question has been raised, could the City have done that? Possibly the City could have; we discussed that last Wednesday. However, the Director indicated that we don't have the equipment to do that. I think maybe we should look in the future to invest in some equipment of that type so we can do it ourselves and hopefully it will be cheaper. But I see us doing nothing other than approving this legislation because whoever made the comment, they're right. We needed an operator to come in and do this work, and thankfully they were there to do the work.

**Michelle Madoff:**

I'm going to abstain because I believe that we have to pay the bill simply because we'll get sued and it will cost us more but, on the other hand, I want to make a protest vote against the discrimination against a hauler who was denied the same source of dumping their garbage as they Chambers landfill, if what I heard today is true. And since I don't know, I'm going to abstain.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Lyons      |             |

AYES 5                      NOES 1

(MR. FERLO VOTING NO)

(MICHELLE MADOFF AND MR. WOODS ABSTAINING)

**The Chair:**

Those three bills, 1479, 1488 and 1500 are tabled. You need six votes to pass the Wallace Act.

**Michelle Madoff:**

I'll change my vote so that we can get this resolved. We're going to have to pay it anyway. I wanted to put in a protest vote but it's got to be paid or we'll be sued. I'll vote for it.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Lyons      | Mr. Wagner      |

AYES 6                      NOES 1

(MR. FERLO VOTING NO)

(MR. WOODS ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also, - with a **NEGATIVE** recommendation,

Bill No. 1482

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (a) REGULAR AND SPECIAL MEETINGS by changing the date of the Regular Meeting of Council from Monday at 2:00 P.M. to Tuesday at 10:00 A.M."

—(SPONSORED BY MR. LYONS)

Which was read.

**Michelle Madoff:**

My understanding is that this is a bill I've tried to have initiated in this Council for a number of years. I think you and I discussed it, Mr. Woods, some years ago. My reason at the time has not changed. Mr. Perry has consistently given us information very late, our agendas, I was here on a Friday, they agendas are not ready. I come in on Monday, they're not ready. They appear here at our desk and we haven't even looked at the final vote. I've asked him whether it would be of any help to him to move it from Monday until Tuesday and he said yes it would. That would be my reason for voting for it.

But I have a little confusion here. Unfortunately, I've been out, in case anybody is interested and has missed me, I'm sure it wasn't my colleagues but if the public missed me at all I have had a very severe case of the flu that's going around which I probably gave to my staff and now they're sick. I'm a little confused as to why we're changing it

from Monday at 2:00 until Tuesday at 10:00 instead of Tuesday at 2:00. Why don't we just keep it exactly the same as it always is, just move it over a day?

I would like to amend it to say Tuesday at 2:00. The idea is to give Mr. Perry enough time to be able to get material to us. And then once we get it on Monday, if it's not here Friday we'll have at least Tuesday morning to check with department heads on what's happening. So, I would suggest strongly that we move it until Tuesday at 2:00.

**The Chair:**

I think the reason for that, if I can answer for Mr. Lyons and Mr. Perry, at 10:00 we can still have hearings at 2:00 Tuesday afternoons if we chose to. Our meetings here usually run an hour and a half or two hours, but if we would have a public hearing at 10:00 on a Tuesday, they could run, as you know, lately they've been going for three and four hours, sometimes longer, and that may interfere with our legislative meeting. This way, if we have the legislative meeting in the morning, nothing can interfere with it and we can have hearings in the afternoon.

**Michelle Madoff:**

In other words, what you're saying, Mr. Woods, is that if we were to have a hearing in the morning, we might run into our sessions. So, we've reversed the procedure; that was your rationale for changing.

I also have another point of confusion that perhaps you can straighten out. My understanding was that there was some problem with the waiving of Rule 8. It seems to me that we would have less waiving of Rule 8 if the meetings were contiguous. It would not be appropriate to say that we're

going to waive Rule 8 until tomorrow; therefore, it would only be a week away and we would cut down on the waiving of Rule 8 which I find really to be a problem. I don't like to see five signatures by my colleagues where I have been excluded because I won't vote on something coming up and being passed without coming before this Council. My gut is that we will discontinue as many waiving of Rule 8's because it will only be a week away as opposed to nine days away.

That was a concern of my colleagues who lobbied me to try to get me to change my vote. What they don't know is that we had talked about this long before they got to Council because Mr. Perry was having a lot of problems getting us our materials. Weeks would go by before Minutes arrived, weeks would go by before agendas arrived. Material that was mailed out to our homes so that we would have agendas didn't come until after we were in session. And now with the Saturday postal delivery being virtually eliminated, I think it is better to move the meetings from Monday to Tuesday. My preference would be at 2:00 but I will go with 10:00.

**Mr. Coyne:**

Mr. Chairman, personally I haven't had any problems since arriving on Council receiving the agenda or the Minutes or anything from Mr. Perry's office. I think they've done a fine job, and personally, I've been able to prepare in the amount of time allotted.

My main concern is the suspension of Rule 8. There is nothing I see that says that we will decrease the suspension of Rule 8. I don't feel that gives us enough time to communicate with the Director between Tuesday morning and Wednesday morning to find out exactly

what is going on with a bill or to have questions answered if need be. So that's why I'll be voting against this bill.

**Mr. Ferlo:**

Mr. Chairman, in response to my colleague, Michelle, never have I heard a more shallow defense in defense of a piece of legislation. Actually, a veiled defense at that.

Since I've arrived January 4th, I can't remember, there hasn't been one time when we have not received an agenda on a Friday. In fact, sometimes it's available on a Thursday. So, nothing is further from the truth in that respect and I commend the Clerk and the staff.

Secondly, it's ridiculous to say that you need to study the agenda for the Monday final vote. These bills coming up for final vote on a Monday have been discussed an length in the previous Committee Session on a Wednesday and, in fact, many times are discussed several times because we hold, I can't quote the number but there has been a very large number of bills that are more controversial or substantive that have always been held one, two, three weeks at a time. So, that's just an outrageous statement.

This bill is nothing more than giving Councilmembers a five-day weekend, and let's call it for what it is. I would be sympathetic to voting for the legislation either at 10:00 a.m. or in the afternoon on Tuesday if in the same breath the amendment would be to also move the Wednesday session to a Thursday. There have been over 150 waivers of Rule 8 which not only expedites Council's review, or really doesn't allow any Council review of the legislation submitted on a Monday. There's no time to interact with department directors and collect



information for the Wednesday session and there's nothing that will lead me to believe that the Administration will not continue to waive Rule 8 ad infinitum.

This bill, in effect, cuts down on meaningful citizen participation. We are cutting out public input from the body. I have found it very valuable for when bills are introduced on a Monday to hear commentary from citizens, from the public, from special interest groups, from City workers, from middle management people who call my office, and I'm sure they call other members of Council about bills that have been introduced. I find that very helpful. It's part of my information gathering and review of legislation. We're expediting that and we're actually eliminating that meaningful participation on the part of the citizenry.

An important part of this legislative body is to interact with the media. Whether I like it or not, because sometimes I get banged on the head by the editorialists and I will continue to get banged on the head; sometimes they support me and sometimes they don't. But we're also cutting down on the media time that I think is a part of that citizen participation component of Council. We're cutting down because the media days will run into each other, the Tuesday and the Wednesday. The week is divided up; we get more play, there's more likely multiple articles in the media and on the radio and the TV by keeping the meetings, if nothing less, than one day apart.

Again, this bill is contradictory from an existing rule in the bylaws. This bill is changing the ordinance as we know codified into law, but the Council bylaws, the waiving of Rule 8, if anybody actually reads the rule, it says very clearly that there will be nine days between the introduction of bills and the

Finance Committee's first discussion of the bill. So, in a way, this bill is somewhat contradictory and it needs a companion piece of legislation which I hope would be offered at some point.

I would be the first to support the bill if I saw a willingness to also make a part of this ordinance an amendment to change the Wednesday session to Thursday. If all of you are saying you don't need the five day weekend and this is not a big hullabaloo to conceal that, then you should support a Thursday meeting. I'm not sure what Councilmembers are hiding from.

So, again, this bill should be defeated. It cuts down meaningful citizen participation, it disrupts the workings of Council that have been such for four or five decades, the meetings have been such on a Monday and a Wednesday. And there hasn't been one rational reason why this bill should be enacted other than the fact that some want to do other work on the side, which I respect them for wanting to do that and it's possible they need the income. But the rest of the working people in this City, including her honor, the Mayor, is at work Mondays, 8 o'clock or 9 o'clock in the morning. And anybody who is running for Mayor should put in the same work schedule and I think anybody else on this Council should be supporting that also.

**Mr. Lyons:**

Mr. Chairman, I'd like for my remarks to be brought forward from last Wednesday.

The next thing on Rule 8, Section A of the bylaws, it would be determined how this bill goes to change those bills. So, there isn't anything at fault.

And I think that it gives the people

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here another day to lobby the Council for their bill. It gives them more time. I differ from any other thought and I think the bill is in order.

(MR. LYONS' REMARKS INSERTED ON THE FOLLOWING PAGES FROM BILL NO. 1482)

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(BEGINNING - MR. LYONS' COMMENTS ON BILL NO. 1482 - WEDNESDAY,  
10/26/88)

Mr. Lyons:

I think this is -- it gives the public another day to lobby for their bills, it gives the Directors another day to put their addendums together to Council when they leave the table on Wednesday and to get it to us by Tuesday and then furthermore with the bills coming out as they do and as many as there are, it gives the Councilperson himself another full day to study the bill and I think this would be very pertinent in a change.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1

**Michelle Madoff:**

Mr. President, I thought, the last meeting that I was here, that everybody seemed to respect each other and we had stopped this business of personal attack and I resent the personal attack by Mr. Hyperbole who always panders to the lowest denominator in everybody. The little twerp is now Mr. Hyperbole as far as I'm concerned. I did not start this but when I'm attacked for all women, Mr. Hyperbole, I will respond.

The fact remains that what we need to do if we really want to have a meaningful companion bill, what we need is a bill that says we will not waive Rule 8. And the fact remains, and you may correct me, Mr. Woods, you still have the power to set hearings on Monday, do you not, sir?

**The Chair:**

Exactly.

**Michelle Madoff:**

And we may be here having very important meetings on Monday. Is that not correct? And it is not because you want to have a vacation, I believe, because whether you're here for a hearing or whether you're here for an important final vote, so be it. The only concern that is valid is the issue of the nine days and I would like to see the elimination of so many waiving of Rule 8. Let's just eliminate that. But I have been here for ten and a half years and my experience has been, and I've talked to Mike Perry, I've called him and said, "Mike, what would be best for you?" I don't really care whether it's Monday at 2:00 or Monday at 10:00. We've talked about doing it Monday at 10:00, have we not? I said, "What would help you, Mike?" He said, "It would be better for me if you did it on Tuesday." And I will

honor his request because it doesn't matter. And when I'm not here for a hearing, I'm probably doing something very, very important and probably more important than Mr. Hyperbole is addressing.

**The Chair:**

I just want to make one statement. The remark about a five day weekend, there's not a Councilmember here that doesn't work and come in this office at least five days a week, so that's a poor statement. Whether we have meetings when we're on our vacation, you know it, I know it and the media knows it. They call here on a Monday, Tuesday, Wednesday, Thursday or Friday, and sometimes on Saturdays and Councilmembers are here when we're on our break. So, it really, really is a poor statement, Mr. Ferlo. And I know you didn't mean it but they're going to print it and make it look nice in the paper. But that's not true and you know it's not true.

Now we're going to call for the vote. All in favor of the bill --

**Mr. Ferlo:**

Mr. Chairman, I haven't finished in response to my colleague, Michelle.

**The Chair:**

Everyone responded to everyone else. No. Roll call vote.

**Mr. Ferlo:**

There's more discussion on the bill, Mr. Chairman. You don't have the right to cut it off.

**The Chair:**

Yes I do.

**Mr. Ferlo:**

No you don't. Mr. Chairman, I want to make an additional comment.

**The Chair:**

Keep going with the vote.

**Mr. Ferlo:**

First of all, I think it's unfair for the personal attack. I've kept it above --

**The Chair:**

Keep going. Mr. Ferlo is not voting.

**Mr. Ferlo:**

If we look at the track record of Mr. Woods, if you look at the track record, Michelle will often times not even attend --

**The Chair:**

You're out of order. You're going to get fined. I'm telling you, Jim.

**Mr. Ferlo:**

No, because you're cutting off debate.

**The Chair:**

I've cut off the debate.

**Mr. Ferlo:**

I think you should allow one more round.

**The Chair:**

No. You're fined.

**Mr. Ferlo:**

I didn't cast my vote yet. I abstain and I'd like to explain my abstention.

**The Chair:**

No. He is not abstaining his abstention.

**Mr. Ferlo:**

Mr. Chairman --

**The Chair:**

You are out of order. Don't push me.

**Mr. Ferlo:**

Mr. Chairman, everyone explains their abstention.

**The Chair:**

You are fined again.

**Mr. Ferlo:**

Are you changing the rules now on abstentions? People explain their abstentions.

**The Chair:**

Jim, I'm telling you, don't push the issue.

**Mr. Ferlo:**

But Michelle will talk about --

**The Chair:**

You are fined again.

**Mr. Ferlo:**

Everyone speaks on their

abstentions and I should be extended the same courtesy as other members of this Council.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5                      NOES 2

(MR. COYNE AND MR. POLLOCK VOTING NO)

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 1486

A Resolution entitled, "Resolution providing for the transfer of \$659,265.00 from Code Account 1922 (192203) Miscellaneous Services, Department of Water to Code Account 1154-1 (115410) Rental of Motorized Equipment and Code Account 1132-2 (1132-25) Telephone Expenses, Department of General Services."

Which was read.

Also,

Bill No. 1487

A Resolution entitled, "Resolution providing for the transfer of \$15,000.00 from Code Account 1920 (192005), Salaries, Administration Division, Department of Water, to Code Account 1923 (192302) Supplies, Administration Division."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1494

A Resolution entitled, "Resolution providing for the issuance of a warrant to Jeanne Marie Franz, in the amount of \$25,000.00 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

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**Mr. Wagner:**

I'd like my remarks to be brought forward, please.

**(MR. WAGNER'S REMARKS INSERTED  
ON THE FOLLOWING PAGES FROM  
BILL NO. 1494)**

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 1494 - WEDNESDAY, 10/26/88)

The Chair:

Directors, I just have a couple of questions. First of all, I think it's a good settlement under unfortunate conditions here on this particular bill and I'm certainly supporting it. What is the fine if someone is caught in a pool by public safety personnel afterhours?

Mr. Pellegrini:

Since it's posted it would be defiant trespass and my recollection is the fine for the first offense is \$300.00 or six months in jail.

The Chair:

How many people have we apprehended and prosecuted who have been caught in our pools in the last two years?

Ms. Brown:

I can get you that information. That would come from the Public Safety Department.

The Chair:

Do we have that information here today?

Ms. Brown:

I doubt it.

The Chair:

Could you please get that to us on Monday because obviously I think it's important for us to take a look at that. If the fine is not high enough, if the sign postage is not sufficient, I think they're the types of things that we should look at and create some kind of public deterrent to keep people from going into the pools.

Some of the items that Councilman Ferlo alluded to, some of the problems of which I agree with some of the things he said, some of the items I disagree, the point has been made that to put a pool in a highly-visible area I think is security in and of itself rather than an isolated area, that's one of our problems in the City, most of our pools are in isolated areas.

Ms. Brown:

There are a lot of people that don't want them next door.



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The Chair:

That's true, however if a pool is along a well-traveled road, there's less potential that people are going to use it afterhours and the best example I can give you is Dormont Pool along Banksville Road. You seldom ever see anyone in there afterhours because it's so visible and someone could easily be caught, but lighting, proper lighting, proper fencing and I know a couple of the incidents that we had this past summer we did not have proper lighting at the Brookline Pool, we didn't have the lights on when that vandalism occurred, we did have a fatality at the Beechwood Pool in Beechview, there were some problems with fencing there and I think we have to look at things like lighting, good fencing, proper signage and penalties.

I should say, and Director Brown indicated that there have been greater patrols by public safety last year with a pool patrol that went around to all of our 35 or so pools in the city. This year that was accelerated into a flying squad to put more emphasis on the parks. I think it has helped somewhat but obviously we still have a concern.

If there is some way in which Council can address it legislatively by increasing the fine, by better signage at the pools indicating the penalty and the use of pools afterhours, please let us know.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8            NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1495

A Resolution entitled, "Resolution providing for the City Controller and the Director of General Services to enter into a contract or contracts, or for the use of existing contracts, to purchase and install work stations and various office equipment for the Controller's Office."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7            NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1501

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J. Lawrence Dunn, VMD in the amount of \$1,249.15 in payment for professional services rendered in the treatment of the dolphin at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1533

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective December 31, 1987, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by transferring funds from CP 88-10, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1534

A Resolution entitled, "Resolution further amending Resolution No. 1187, effective January 1, 1987, as amended, entitled: 'Resolution adopting and approving the 1987 Capital Budget and the 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program,' by transferring funds from CP 87-08, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1535

A Resolution entitled, "Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by transferring funds from CP 86-09, Neighborhood Street Sign Program, to the Department of Public Works, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1544

A Resolution entitled, "Resolution transferring the aggregate amount of five-hundred and fifty thousand dollars (\$550,000) from various Department of Environmental Services Code Accounts, Code Account 44, and Code Account 53, Department of Finance, to Code Account 1167, Wages, Regular Employees, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Ferlo presented**

Bill No. 1585

Report of the Committee on Public Works for October 26, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1480

A Resolution entitled, "Resolution vacating an unnamed way between Los Angeles Avenue and Vodeli Street in the 19th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Lyons presented**

Bill No. 1586

Report of the Committee on Planning, Housing and Development for October 26, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1483

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$205,000 of loan repayment funds from the Giant Eagle Urban Development Action Grant UDAG; \$75,000 of loan repayment funds from the Gateway Clipper UDAG; and \$120,000 of loan repayment funds from the South Aiken Offices UDAG for the Community Development Investment Fund."

Which was read.

Also,

Bill No. 1484

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$200,000 of loan repayment funds from the Station Square Urban Development Action Grant for the Streetface Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Pollock presented**

Bill No. 1587

Report of the Committee on General Services for October 26, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1489

A Resolution entitled, "Resolution amending Resolution No. 168, effective March 30, 1988, entitled, 'Providing for a professional service agreement or agreements for the purchase of fuel for City owned vehicles at a cost not to exceed Five Hundred Thousand (\$500,000) Dollars. Funds are available in Code Account 1144, Index Code 114405, Gasoline and Diesel Oil,

Department of General Services." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1490

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts for the purchase and installation of Work Stations, etc., for the Department of General Services, in conjunction with the Retrofit of the Public Safety Building, Code Account 4-30-0010-86, Index Code 370684, Retrofit of the Public Safety Building." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Ferlo:**

I don't understand the logic of

spending another \$24,000 for work stations in the Public Safety Building. I'm opposed to all the expenses that we've occurred, over \$100,000 this year on work stations. But in this situation, these are usually planned structures that fit into specific defined areas. Why spend this money in somebody else's building, even though they happen to be portable? They usually plan and design for specific work places. I can't see what's wrong with using existing desks; we probably have a warehouse full of office equipment, albeit not necessarily new. But it's a waste of money to spend over \$24,000 for work stations in the Public Safety Building when it's supposed to be a temporary structure.

**Michelle Madoff:**

My understanding is that these are modular and portable and can be moved anywhere at any time. I don't know if this \$24,000 is part of the shipment that was purchased from Conrail and we're just reimbursing one fund to another, but we bought \$1.8 million for \$350,000 of this modular furniture for the Public Safety Building. I'd like to know whether this is part of it or not. Is it? Does anybody know? Is this an additional purchase to that \$350,000?

**The Chair:**

I understand it's an additional purchase.

**Michelle Madoff:**

This is the first time we were allowed to go out and buy en masse. We've done it two or three times and saved the City a lot of money to but repossessed or gently worn in good condition, under warranty, materials. I don't know.

**Mr. Coyne:**

Mr. President, isn't this having to do with the Public Safety Building and not the Gateway View Plaza?

**The Chair:**

It says Public Safety Building. It's just the Public Safety Building.

**Mr. Coyne:**

I don't understand why Councilman Ferlo then refers to it as temporary.

**The Chair:**

Why don't you just recommit the bill and bring it back up?

**Mr. Ferlo:**

Mr. Coyne brings up an important point that brings the question of the validity of the Public Safety Building work which, the last time we left off this discussion in Council, was whether or not there was wisdom in proceeding with the overhaul of the Public Safety Building. To my knowledge, we've never really resolved that earlier agenda item.

**The Chair:**

The last time I looked, and that was this morning, we were proceeding because I see construction all over the place.

**Mr. Ferlo:**

It's asbestos removal. We said that no matter what we did we'd have to get rid of the asbestos, even if we wanted to sell the building, but it was still pretty much an open question. If I remember the post agenda, Michelle and other participated in, Mr. McDermott was to come back and they were to do a

survey. I believe Mr. Jacoby made a commitment to look at other buildings, the Blue Cross Building and others in the Downtown area. I thought we agreed that no matter what we had to do the asbestos removal, but the jury was still out on whether or not we would actually proceed with the Public Safety Building.

**The Chair:**

Mr. Pollock, what's your pleasure with this bill? It's your bill.

**Mr. Pollock:**

How much sentiment is there to recommit? Recommittal is fine with me.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

**Mr. Woods presented**

Bill No. 1588

Report of the Committee on Parks and Recreation for October 26, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1434

A Resolution entitled, "Resolution changing the name of English Lane Field in Frick Park to Stanley Lederman Field." —(SPONSORED BY MR. WAGNER)

Which was read.

**Mr. Wagner:**

Mr. President and members of Council, I'd like my comments brought forward on the bill from last Wednesday's meeting, and I just briefly want to state that this request came in from the Squirrel Hill Little League Association. It was agreed upon by the Director of Parks and Recreation, Louise Brown, and I think it is an excellent idea. This field is officially named Field No. 4 in Frick Park and the name is being suggested to be changed to Stanley Letterman Field, a person that has devoted a whole lot of time, energy, and years of work to the community.

**Mr. Ferlo:**

I'd like my comments brought forward on this bill also.

(MR. WAGNER'S AND MR. FERLO'S REMARKS INSERTED ON THE FOLLOWING PAGES FROM BILL NO. 1434)

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(MR. WAGNER'S AND MR. FERLO'S REMARKS ON BILL NO. 1434 -  
WEDNESDAY, OCTOBER 26, 1988)

Mr. Wagner:

I would like to comment on the Bill since I sponsored it, if that is okay. I would also like to send out a letter that I received from the Squirrel Hill Little League Association. I would like each one of you to please read that letter.

It is dated September 28, 1988 from Mr. Rand Frankel who is now the Commissioner of the Squirrel Hill Little League Association. Mr. Frankel has indicated the reasons and the suggestion to change the name of this field. It was the Squirrel Hill Little League Association that made that recommendation to my office which precipitated this piece of legislation in front of you.

In looking at the letter, you will see not only does he compliment Mr. Lederman for his numerous activities involved in the Squirrel Hill Little League Association for the past 16 years, he also indicates that this field is officially named Field No. 4 in Frick Park and unofficially named English Lane Field.

He further indicates that he has spoke with the Director of Parks and Recreation, Director Louise Brown, in regard to this, and she is in support of this name change. He did that prior to submitting this letter to me and prior to me submitting this legislation.

I would like to say that I have known the individual involved here, Mr. Stanley Lederman, for a number of years. I have known of his involvement in the community. I did not know the degree of involvement with the Little League Association. I have known for the last five years, but I did not know prior to that. He has been involved, as indicated in the letter, for the last 16 years, 10 of those 16 years as Commissioner of the League.

He has been extremely active and important in terms of improving the condition of the field and getting lights, fences and even a snack bar at the field and obviously extremely involved with the young people in the Squirrel Hill community.

I think this is an excellent idea to rename the field after someone who has devoted thousands upon thousands of hours of his time over the last decade and a half to the neighborhood, to the youth of the neighborhood. We all know how important that is.



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In my opinion, there is nothing more important that anyone who is a resident of the City of Pittsburgh can do than to devote time to the young people.

I think it is a very minor item for us to suggest that a name of a field be changed to honor that individual. But in doing so I think we are also sending a message to the young people in saying to them that if someone is dedicated enough and interested enough to devote the time and the effort and the energy towards helping young people, that individual should be recognized, number one. And I think it creates or sets an example and let's young people be reminded of the importance of doing that in their lives as they grow older.

So, I strongly recommend this name change, and I hope the majority of this Council supports it.

Mr. Ferlo:

Mr. Chairman, given your eloquent address just now, voting against this would be like voting against motherhood or apple pie. And I would certainly vote in favor of it.

I have not been aware of the gentleman's decade or more long volunteer activities with the Baseball League. I know he is generally involved with the community, and certainly it would be a tribute, and it's very clear from your comments, as well as a letter received from the Squirrel Hill Little League group, that this person is most deserving.

My only concern, and I will vote in favor of this legislation, is that in the future -- we did support the notion that there will be a formal commission on renaming public places and property. Now this type of renaming may or may not fall into that category, I don't know. But I would use this as an opportunity to once again communicate to the Administration on the issue of a permanent commission that can deal with not only requests like this but other requests that will be coming and have come before this Council.

We did it by way of a non-binding resolution a couple of weeks ago. I was trying to keep in good faith with the Home Rule Charter which implies that we should communicate to the Administration our intentions when we want to create a unit of government or change the unit of government. But surely I will be introducing a formal Ordinance on the renaming of the Commission in hopes that Council and the Administration can have some dialogue on the activities of the Art Commission as well, which I think those individuals are being underutilized, and there is a broader mandate that needs to be fulfilled.

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But on this issue of the field, I can see no reason for objecting to it. I think the political questions that have been raised on the gentleman's intentions for running for public office, as well as his political position, is really secondary and not really central to the request legitimately from the community group on the renaming of the field.

(END OF REMARKS)

PREPARED BY GLORIA J. BORS, STENOGRAPHIC REPORTER

**Mr. Lyons:**

Mr. Chairman, when does this become effective?

**The Chair:**

Ten days after the Mayor signs it.

**Mr. Lyons:**

Okay.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. DePasquale presented**

Bill No. 1589

Report of the Committee on Public Safety for October 26, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also,                      with                      an                      affirmative

recommendation,

Bill No. 1491

A Resolution entitled, "Resolution authorizing the participation by the City of Pittsburgh in Pittsburgh Crime Stoppers, Inc."

Which was read.

**Mr. Pollock:**

On the amendment which was submitted in writing, just one minor correction to make sure that everyone understands exactly what the motion to amend shall be. Section 2 on the amended bill will read, "The Director of the Department of Public Safety is authorized to provide office space for the operation of Pittsburgh Crime Stoppers, Inc." which, of course, would mean anywhere, the Public Safety Building or where they're using now or whatever.

And Section 3 would read, "The Director of the Department of Public Safety is authorized to designate City personnel to staff telephones used by Pittsburgh Crime Stoppers, Inc. and the Director of the Department of Public Safety and the Director of the Department of General Services are authorized to provide other reasonable necessary support services".

**Michelle Madoff** seconded the motion.

**WHICH MOTION PREVAILED.**

**Mr. Pollock:**

On the bill, I'd like my comments brought forth, and I also want to take a second to talk about a really fine and beneficial example of a public private partnership which I think that this program exemplifies.

Right now, there are more than 700 cities across the United States and the world, including numerous other countries that have Crime Stoppers programs. When I got the idea to start it here in Pittsburgh, I went to the CNG Corporation and their Director of Corporate Public Affairs, Ray Ivey, became very excited about the idea and decided that they would be the lead sponsors on this to raise the money necessary to fund the rewards that are going to be given out to individuals that report crimes and criminals and also to provide the support staff necessary to run the program and the advertising and so forth.

So, I want to express my deep gratitude to CNG Corporation and its President, George Davidson, for being such a good citizen, and I also want to thank other individuals who have been very helpful in getting this off the ground, Joe Schiffhouer, the attorney from Buchanan and Ingersol who did all the incorporation and the Internal Revenue work, the public relations firm of Kramer, Dixon and Basford, Congressman Coyne's office and his assistant Jamie Rooney who were of great benefit in our obtaining the 501 C 3 non-profit designation from the Internal Revenue Service, Chief Anthony Hovenac from the Beaver Police, Beaver County Crime Stoppers who met with me on numerous occasions to explain how the program works and to help me get it started here in Pittsburgh. Of course, Director Cannon and Chief Pampena for endorsing the idea and really committing themselves to it and finding a dynamic, energetic and truly committed individual, Sergeant Mike Brown, to be the coordinator of the program. And a special thank you to my assistant Ralph Horgan who has done so much work in getting this program off the ground and who serves as the corporate secretary for the non-profit corporation.

I know that this is going to be successful; if I had any doubts about it, there was a really good omen on Friday. Last week when the article appeared in the paper about Pittsburgh starting a Crime Stoppers Program, an individual who lives in Pittsburgh saw the story and called his brother. His brother happens to be Lieutenant Tim Klein from the Albuquerque Police Department. Now, Lieutenant Klein happens to be the President of Crime Stoppers International and who, by amazing coincidence, is from Pittsburgh and who happened to be coming into Pittsburgh this weekend for a wedding of his sister or some other relative. We happened to have a corporate meeting planned for Friday morning at 10:00 and he was coming in Thursday. So he was able to join us at our meeting on Crime Stoppers and was of great benefit in our working out certain kinks that we had in how to institute the program here. So, that certainly bodes well when you have that kind of amazing coincidence.

I just want to state that, as I said, over 700 cities have these programs and there have been more than 700 cases solved as a result of individuals calling up with tips and receiving rewards. That's an average of between 300 and 400 cases per city and there has been over \$1 billion in recovered property and narcotics that have been found as a result of Crime Stoppers Program with an amazing statistic of 97 percent rate of conviction for crimes in which a tip was received and a reward was given out.

As I said, we have a real exciting dynamic leader of this group, Sergeant Brown. We have a great deal of interest on the part of the electronic media; all three TV stations want to get involved in this. And I am going to be saying this on numerous occasions, I might as well start now, that within a matter of weeks any individuals out there that have any

information about any crimes in the City of Pittsburgh can call 255-TIPS and they will be anonymously able to provide information about who did the crime, where the crime was committed, anything at all. They will receive a number; their name will never be known by any person. Their identity will be totally anonymous and they will have the opportunity to receive a reward of up to \$1000 if it leads to the arrest or conviction of an individual.

So, all you amateur sleuths out there, you do-it-yourself Sherlock Holmes, now is the chance to really make some money and have a profound effect upon the crime solving statistics of the City of Pittsburgh.

I would be grateful for Council's support of this program. I think it's something that is long overdue and is extremely worthwhile. Thank you.

(MR. POLLOCK'S REMARKS INSERTED  
FROM BILL NO. 1491)

(BEGINNING - MR. POLLOCK'S COMMENTS ON BILL NO. 1491 -  
WEDNESDAY, 10/26/88)

Mr. Pollock:

I would like Chief Pampena, Assistant Director DiNardo and Sergeant Brown to come to the table.

What I'd like to do is provide the members of Council and the public a brief background on this because I think it is a very exciting and a very beneficial proposal that we have been working on.

Several months ago I had talked to Director Cannon about the idea of having a reward program in the City of Pittsburgh for people who would provide information regarding crimes. It was my belief that the vast majority of crimes are committed with the knowledge of an individual besides the perpetrator of a crime either before the fact, after the fact or during the fact and that if there was some financial incentive on the part of the public to come forth in an anonymous manner with information, that this information would indeed come forth and would have a profound effect upon the crime-solving statistics for the City of Pittsburgh.

I was delighted that Director Cannon was excited about the idea and followed up on it and assigned Chief Pampena and his personnel, Commanders Rocco and Howard and so forth to get on the case and they've been wonderful working on this.

We have talked to other cities that have a program like this and I'd like to say that there are hundreds and hundreds of cities across the country that have a program like this already, and very instrumental in working with me on this and I have to give him thanks is Chief Hovanic from the Beaver Police over in Beaver County who really is one of the leaders in the nation on these reward-type programs. He started one down in Maryland and he started the one in Beaver County and they have a very, very high success rate. He provided me with a great deal of background information on this and was working with me in how to set it up here.

We have talked to the police in Birmingham, Alabama and Albuquerque, New Mexico and other cities to get background.

After we got the go-ahead from Director Cannon and Chief Pampena, it was then important to find the money for the reward program because I didn't want it to come out of city funds, so I went to the private sector to try and find interest on the part of the foundations and the corporations to fund the rewards, to get involved in the promotion of this plan and to serve on the board of the non-profit corporation. I'm delighted to say that the CNG Corporation and its President, George Davidson, became very much involved in this project, agreed to be the lead sponsor in raising the money from the City's corporations and

foundations and expressed a great deal of interest in working with us on this plan.

We also had to form a non-profit corporation and I was able to prevail upon a friend of mine, an attorney by the name of Joe Schiffhouer who is with the law firm of Buchanan Ingersol and he donated all of his time informing the non-profit corporations and doing the work to obtain the non-profit status from the IRS so that we are a legal 501-C3 corporation and we can go out and raise money that is then tax exempt, charity donations, etc., and before we even received the IRS status we already had more than \$15,000.00 in and now that we have the IRS status, I'm sure that we are going to come pretty close to our goal of \$100,000.00 a year of money from the private sector to fund this program.

The way it will work is still being formularized but the Public Safety Department and Chief Pampera has already selected Sergeant Brown who is with us today to be the individual coordinator of the Crime Stoppers Program and I will let them discuss that.

I will say though that the interest on the part of the local media is outstanding; in fact, it's astounding. All three television stations are very, very interested and a representative from WPXI is here today and I would assume that it's about the Crime Stoppers Program. KDKA has been calling me around the clock to see when it can go; they're very excited and I think that it's going to be a very exciting program where we can put a crime-of-the-week on the local television stations and in local newspapers and maybe on the radio and maybe do a re-enactment of the crime, describe the incident and so forth and people who have information about the crime can then come forth, call Sergeant Brown, receive a number, they're never identified and they never have to let their identity be known. If the information that they provide leads to the arrest or conviction of an individual, the board that is formed will then meet to determine how much that information is worth, anywhere from \$1.00 to \$1,000.00 or possibly more if it's a serious enough crime and then we'll make that amount available to that individual; they receive cash so that there's no documents of checks so that they can be identified by anybody else at any time. It's a drop-off point where they receive the money so that they are never known and the whole thing is done with the protection of the witness so that their identity is never known and there is never any danger to them, even the police do not know their name and as I said, these programs around the country have a phenomenal success rate. Chief Hovanic down in Beaver County says that it's a 97 percent rate of crime solved where they have given out rewards and I think it will be a great benefit to the Public Safety Department and the police and at this point I would like Chief Pampera and Sergeant Brown to comment on the program, what they think about it, how they hope to implement it and so forth or answer any questions of members of Council. Chief, do you have any comments?

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Chf. Pampena:

Yes, we've looked into the program and you've covered it very well and Sergeant Brown had attended one of the conferences of a Crime Stoppers Program and we have uncovered some information that has been successful. There's over 700 programs throughout the country and at this point in September they've reached the \$1 billion mark in recovering property and/or narcotics confiscation, so we feel the program is successful in other cities and there's no reason why it wouldn't be successful here.

Mr. Pollock:

And Sergeant Brown will be in charge of going out to schools and neighborhood groups to get them involved in the program and so forth.

Chf. Pampena:

Yes. We have an initial budget of \$75,000.00 and approximately \$8,000.00 of that would be one-time purchases and the other, the remainder would be a yearly number. I would figure that once the program got off the ground, the best estimate would be that it would run anywhere from \$80,000.00 to \$100,000.00 per year which would include the rewards. I would hope that we could continue to fund that with private funds.

Mr. Pollock:

That's my intent that we not use city money that the foundations and corporations and hopefully the insurance companies could provide.

I also want to give a plug of thanks to the Kramer public relations firm because there's going to be a lot of PR and advertising involved in this. We're going to have to have graphics and signs put up so that people have the number to call with their tips and so forth and there's going to be a lot of promotion involved and Sergeant Brown is really going to have to work going around and in my dealings with him I can state that he's a very dynamic, aggressive guy and I think he's the right person for the job and Sergeant Brown, if there are any comments at this time please comment.

Sgt. Brown:

Well, yourself and Chief Pampena covered it very much. The Chief and I will be here to answer any questions of any Councilmembers.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER 1



**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

**AYES 8            NOES none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

**Bill No. 1590**

Report of the Committee on Engineering and Construction for October 26, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1469**

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for renovation of various Senior Citizen Centers and Recreation Centers, including but not limited to vandalism damage at Cowley Goettman; and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 1529**

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing line."

—(SPONSORED BY MR. FERLO)

Which was read.

Also,

**Bill No. 1530**

A Resolution entitled, "Resolution amending Bill No. 1379, passed in Council, October 18, 1988, entitled, 'Providing for a contract or use of existing contracts for Renovations to the Bloomfield Pool, Recreation Center, Outdoor Recreation and Dean Field, and providing for the payment of the cost thereof', by increasing the total project allocation by \$300,000 from \$1,130,500.00 to \$1,430,500.00." —  
(SPONSORED BY MR. FERLO)

Which was read.

**Michelle Madoff:**

Mr. President and members of Council, as you know, I had requested the use of an outside attorney to draft legislation to stop the giving away of tax dollars by virtue of announcing how much money we have to give away. Not to exceed. It seems that after ten years this Council finally has seen the light and seems to agree with the position I've taken. There's no reason again to have a

fire station demolished for \$70,000 that would cost \$14,000 and to have the bids come in at sixty-six, sixty-eight and sixty-nine and then give another \$336,000 away.

I have gone to this attorney and the attorney has contacted the Law Department, Mr. Specter, and it turns out that drafting this legislation means amending many of the City bills. It is very complicated and it's going to take time. Therefore, I would like to request of this Council that, and I'm looking at Bill No. 1530, that by executive order we petition the Mayor by a motion of Council to, by executive order, have the Administration just change the procedure. It is a very simple thing to do. Instead of saying, as we do here on Bill 1530, that we are going to —

**The Chair:**

Let me interrupt you. That bill is on a swimming pool, artificial turf. But you can't talk about some other idea, and I respect you, but please don't do it. Just talk on that artificial turf.

**Michelle Madoff:**

Alright, then let me talk about this artificial turf and let me talk about this bill. It's on playgrounds, recreation pools, Dean's Field, etc., etc. The item is at \$1,130,000. I don't have any problem with the bill. I have a great problem with saying that over \$1 million to give away. Maybe it could be done for \$600,000. I don't know. But there's no reason to advertise the amount. And by executive order, we could stop on Bill 1530 advertising the amount.

**The Chair:**

Okay, you're against that bill.

**Michelle Madoff:**

No. I'm going to bow to your wisdom and I'm going to ask at the end of the meeting that we introduce a letter to the Administration that by executive order they do what should have been done light years ago.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |
| AYES 7         | NOES none        |

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

On the executive order, may I make a floor motion, and for those of you who seem to agree that this is the correct way to proceed, let us stop giving the store away, let's stop advertising how much money we have to give to contractors, let's keep that information proprietary. A bill is being prepared that will amend the various codes to make it law but it can be done by executive order. And I would very much like the support of this Council to say we don't advertise how much money

we have to give to a vendor. If we have \$70,000 to demolish a fire station, nobody is going to come in at \$10,000. They're going to come in at sixty-six, sixty-eight and sixty-nine. We've got to stop this giveaway.

On the second phase of Grant Street, Rust Engineers estimated the cost at \$3.2 million. The bids came in at four-eight originally and they said that's too high, re-bid it, and they came in at four-four. We went one million two over bid.

We've got to stop the giveaways. We don't have the money. And I would respectfully request that a letter go to the Administration requesting that they eliminate in any department the words "not to exceed" and keep the number out by administrative order. It can be done.

**Mr. Lyons** seconded the motion.

**Mr. Wagner:**

Mr. President, if I may address my colleague, I thought that was the intent of the bill that you submitted that is in committee now.

**Michelle Madoff:**

You may not have heard me say that the attorney working on the bill has already been in touch with Mr. Specter. Mr. Specter said he is willing to help but in changing that bill many other City bill have to be changed. It's a very convoluted, not simple procedure. And I'm saying why wait for the bill to be drafted. Let us, by executive order, the Administration has the right to say we're not going to do this anymore. If I were the Mayor that's what I'd say. We're not going to announce how much money we have to spend. We'll vote for the project but we won't say how much money there is.

And that's what I would like to do. If you don't want to vote for it and you say it can't be done, I don't believe it can't be done. It's a very simple thing to do. It's just a matter of the will to do it.

**The Chair:**

My problem is, and I agree, in private industry they don't say how much it is; they just go out for a bid. But somebody in that private industry knows how much they're willing to spend on a particular project. But, unfortunately, or fortunately, we on Council, we are a public body, we serve the public, all of our budget, every dime has to be budgeted and has to be recorded. We sit here and debate it and then it's printed. Any citizen can come up and get a copy of the budget. They can get a copy of the capital budget. If you're going to replace the Ohio River Boulevard Bridge, replace this bridge at \$2 million. I'm a contractor and I come in and say well, I know they're going to spend \$2 million. You don't have to be an Einstein to say this is going to cost that much and this is going to cost that much. I'm a general contractor and I can break it down very easily. So you're right; it is a complicated thing. There are many, many other bills that would have to go along with this bill and I'm going to vote no on this letter that the Mayor is going to send because it doesn't mean anything. There's no way it could have any effect this year and perhaps next year. It's a complicated thing.

We sit here and we debate how much we're going to give police officers for allowance to buy uniform. If I own a uniform store I say, hell, I know he's getting \$20 for a shirt; I'm going to charge him \$19.95 or \$20.05. It's very easy to break down and that's why it's difficult. And for us to just throw this and say well, you're going to cure all this, it's impossible for any Mayor to do

it at this time. They have to eliminate all that stuff and we'll have to tell the media they're not allowed in here when we deliberate budget and you're not allowed a copy of the budget and the citizens are not allowed a copy the way we're doing it right now because every item we spend in the City of Pittsburgh there's a dollar figure right next to it. Our salaries, tissue paper, pencils, whatever; there's a dollar item next to it.

**Mr. Wagner:**

Just to conclude, obviously we're going to vote on this and however I would recommend the more sophisticated way of the bill, even if it needs other bills because obviously a motion put on the floor here at this meeting does not carry any weight, it's only a will of Council and it's still up to the Mayor and the Administration to direct the Administration. If the Administration hasn't done that yet, I'm sure they're not going to do it even if this Council is unanimous. Consequently, I think we should proceed the other way.

**Mr. Coyne:**

Mr. President, though I agree with Councilwoman Madoff's general idea that we do need to take the price out, I have to agree on the issue with Councilman Wagner that the better procedure would be to do through with the legislation and wait until the bill comes up. The letter right now wouldn't clarify anything as to Council oversight or Council to be able to have any privy information concerning prices and I don't think that's the way you want to deal with the Administration.

**Michelle Madoff:**

May I address my colleagues? They're absolutely right. What I was

proposing was that in the bill, and I've outlined it very succinctly for legal counsel to prepare, the budget would no longer reflect individual items.

For example, in Parks and Recreation, there would be a lump sum total. A breakdown of the individual projects would only exist within the department and there would be penalties for violating that. There would only be a lump sum total; there would not be a breakdown for every single item. We would approve a bill and, for example, we would approve that a fire station should be demolished. The actual cost of a fire station being demolished would be done in-house. After it is awarded, then we would be notified and before the contract is actually issued, we would approve the dollars. But we would not approve the dollars at the same time that we authorize a project and we would not vote to have the project awarded to a contractor. We would only approve by going out on the bill. So, we can handle, and the Administration could right now can handle by going to lump sums instead of individual items.

But let me tell you my problem, fellow colleagues. You're absolutely right. When you go to an attorney who is able to do a very complicated bill and you offer him \$500, which is what the President of Council allotted me to pay the attorney, he's not going to put that bill ahead of a lot of other things that he does to earn a living. I don't think \$500 is going to cover the cost to get this bill to this table in a hurry. Therefore, if it is a wish of my colleagues to go the route of having the bill drafted in the proper manner covering all loopholes, I support it. But then I would like to see this Council support the payment, whatever the cost would be, reasonable dollars, to an attorney to deal with the problem.

And I might add, for anybody listening, my colleagues, I did go through our Law Department and I did ask them to prepare the bill and they were not able to do it. What I got back from Mr. Pellegrini, the initial draft, did not do the job. Mr. Pellegrini, for some unknown reason which I cannot understand, did not agree with members of this Council that indeed we have a problem in advertising. Or as a former Councilmember, Mr. Stone, used to say, "telegraphing ahead", that we have all this money to give away. If it can't be done, it can't be done. Well, if you don't want to do it, it won't be done. But if you want to curb the problem, it can be done and an independent attorney can draft the bill. And I would suggest strongly that we pay commensurate with the work involved so they'll drop other things and give us priority. Do I have the additional funds to do it?

**The Chair:**

No.

**Michelle Madoff:**

Then, you see, we don't really want to do it.

**Mr. Ferlo:**

Mr. Chairman, it's time to put up or shut up on this bill and Michelle is exactly correct. We should spend whatever reasonable amount of money we need to hire a competent attorney. I think we have at least \$10,000 in our consultant code account, and if not, we can transfer money into it. The Administration does it all the time; we should be able to do it. But Michelle's point is well taken. I'm getting tired of talking about this bill. We need a piece of legislation and we should pay for competent legal expertise. Mr. Pellegrini is going to be a roadblock.

The Administration doesn't support this bill; they're not going to help us draft this legislation; they're diametrically opposed to the bill and we should pay whatever reasonable legal fees there are in order to get the expertise that we need, Mr. Chairman.

**The Chair:**

I suggest this. Instead of us telegraphing how much we're going to spend for an attorney, whether it be \$500 or \$1000 or \$5000, let's put an ad out and let's say listen you attorneys out there, we want this bill drafted. You give us a bid on it and when the bids come in, we take the bid, the lowest responsible bidder, like we want the Administration to do, and then we'll award that contract. I think that is fair.

**Michelle Madoff:**

Let me tell you what happened. I went to one of the most prestigious firms in this City and said to them, "Would you donate your time for this bill?", and they said, "Yes." Do you know why they wouldn't do it for us? In the final analysis, one of the big, big, big firms? They said because "We would have to have that request come from the Administration." Well when the Administration drafts a bill that's pure garbage, and the original draft of the bill didn't accomplish the goal at all. Mr. Pellegrini gave me a bill and he said, "It can't be done" and he worded it so it couldn't be done. And I took it to a private attorney who is very well-known and very respected by our Councilmembers. I've gone to four other attorneys and they said, "We have to have the Administration tell us" and they would then have done it gratis. But since the Administration will not support this, I had to go and find someone I felt was competent who deals in real estate law, who understands contractual law. There

are various different fields; you can't put it out for bid and get some kid who just got out of law school who says, "I'm going to bid on this; I'll come in at \$200 to do it." We're going to have to live with this piece of legislation. It will take five years.

Either there's a will by this Council to support my bill and get me the dollars to see that somebody drafts it and puts it on the front burner to get it done ahead of their other clients who they make money from and get a special rate. If they're a \$150 an hour attorney, get it at \$100. If they're an \$100 an hour attorney, at \$75. I don't know what they get. But I will confer with the President of Council, tell him who the attorney is, and then decide what a fair fee would be per hour. And we've got Mr. Specter who has graciously offered to give his time to doing the backup material on the companion legislation and certainly he will see that we don't spend hundreds of extra hours. I trust him implicitly.

**Mr. Ferlo:**

Mr. Chairman, I think it's appropriate to entertain a motion to have the Chairman, Mr. Woods, to appoint a committee of Council whose task it will be to formulate a request for a proposal, as you indicated, seeking out qualified bidders, law firms, who will draft up the legislation at some dollar figure. And we can look at the bid and see whether or not they're competent law firms and whether or not the money is reasonable and whether or not they have an expectation to complete the task, if there is a problem that the current attorney is not able to do the work.

**Mr. Coyne:**

Mr. Chairman, I disagree with Councilman Ferlo. I think if

Councilwoman Madoff had gone to the trouble so far to already enlist an attorney and that person had been doing the work on the contract, then maybe that's the person who should continue to do the work and we should find out who that is and then decide what we want to really put into a bill like this. The Administration, as has been clearly stated, isn't going to support this bill. This is something they don't want, something where they can control the price of things, and it sort of freezes us out. I think if we're going to get serious about it, we do need to continue to work and if she already has an attorney who is working on it, I think that's the one we should stick with.

**Mr. Lyons:**

Mr. Chairman, I seconded the motion for discussion, but I think if the maker would withdraw the motion and stay with the original bill, I would like to see that go to its end and I would withdraw my second.

**Michelle Madoff:**

Not with \$500.

**The Chair:**

Let me just say something. The Administration, I don't believe the Administration cares one way or the other, if there's a price in there or not a price in there. The law says there's a price in there. Everyone must understand that. The law says there's a price in there, not our present Mayor and not our past Mayor. The law, it's a State law and it's a City law. We have to change the law.

**Mr. Coyne:**

There is no law.

**Michelle Madoff:**

We asked Dan Pellegrini that and he said it isn't law.

**The Chair:**

We discussed this many times at this table. If you wish, when you present that bill that you have and we can refine it and give it back to the attorney, we can bring it up and discuss it again. But if I'm a contractor and you want to do the Bloomfield Bridge, I just have to look at the Capital Budget for every dime that's going to be spent. You have to change that and that's what I'm saying. It's not something that you just go spit, spit, spit and it's over. It's a complicated thing and I agree with you. You need an attorney. It's not going to happen overnight. It just can't happen.

**Michelle Madoff:**

Mr. Woods, you're right. It's very complicated and it's not going to be spit, spit, spit, and get it out. Attorneys charge a fee even if they give us a special rate and I have to have the money to pay for it. I've spent a hundred hours talking to every department head. I've certainly interrogated Mr. McDermott over and over again. I've asked him, I pleaded with him two years ago or three years ago when I wasn't taking after him with his consultants, to please come back and he should draft the legislation. And he said yes he would do it and he could do it.

The attorney has been working. I have done an outline based on information and input from members of Council, previous Council and this Council. It's an outlying form; it just takes time. And time is money. And the attorneys do not work for nothing. They will give us a rate but \$500 will not cut it. Can I talk to you later about what we

can do about a fee?

**The Chair:**

Talk to this Council.

**Michelle Madoff:**

What are we going to do about a fee?

**Mr. Ferlo:**

Point of Clarification. Can we please find out from Michelle the attorney that she has already engaged, how much money does this individual or firm want to develop a model draft piece of legislation. When we find that out, then we have something specific to discuss.

**Michelle Madoff:**

That's a reasonable question and should be answered. I went to the attorney and I said, "I have been allocated only \$500 by our President; will you do it for that?" He said, "Give me time and I'll do it for that." And that's the problem. He has a lot of other things that he's doing and when he has time he'll work this in. We just wanted to be a priority and I cannot do it as a priority for \$500.

**The Chair:**

Here's the thing, Michelle. He asked a simple question. How much and who?

**Michelle Madoff:**

I gave you the who.

**The Chair:**

No, you didn't give me the who.

**Michelle Madoff:**

Jim Josephs.

**The Chair:**

How much?

**Michelle Madoff:**

I only had \$500.

**The Chair:**

Go and come back to this Council and tell us how much it is.

**Mr. Ferlo:**

On another subject. I just wanted to remind my colleagues about an important public hearing tomorrow at 10:00 a.m. on the level playing field ordinance amending the City contracts.

Secondly, there's a public hearing in the afternoon on cutbacks in the Environmental Services workforce and that's at 2:00 p.m. Both of them are televised and if citizens want to speak at either one of these hearings, they can call 255-2138.

**Michelle Madoff:**

On another subject. Mr. Woods, all of us received in the mail the capital rally for local tax reform. I'm delighted that someone picked up my idea and said let's all go to Harrisburg and sit on the steps and lobby and do something. They're asking that those who would like to go to Harrisburg on Tuesday, November 15th, if they need accommodations the night before on Monday to please let people know if they're going to come. The phone number or the contact — I guess there's no telephone — I guess you have to call the Pennsylvania League of Cities or

perhaps call one of the Councilmembers here and we would make arrangements for them to come. But I just think there is going to be a capital rally for local tax reform Tuesday, November 15th, sponsored by the Pittsburgh League of Cities, and it's going to be now or never. If we don't get tax reform starting on November 14th in the special session, we may never get it.

And for those of us who feel there should be a compromise between the Senate and the House, it may be the only thing we're going to get. I know that not everybody on this Council is in agreement with exactly what we're going to get, but certainly it will be more than the burden that we are saddled with. One has to only go back and look at the two last budget statements by Mayor Caliguiri where he warned us that we were going to be in the situation we're in. It is not coincidental that refuse workers are being laid off. It is not coincidental that our parks are in disarray. It is not coincidental that we don't have money to give the services that we need to give in the City. And tax relieve, in some form, must happen on the 14th.

I just wanted to alert everybody, there's going to be a rally, the public listening who might want to go, to take advantage of the opportunity.

**The Chair:**

And just to respond to that before we adjourn, I respect Ms. Madoff's opinion and all of your opinions, but I believe before anyone jumps up and says tax reform, it sounds very nice, it's a catchy phrase, but what does it mean and what is in that particular piece of legislation? And before anyone supports it, they ought to find out what is in the piece of legislation, what one-third of the County, which we are, the City,



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pays, and what we're going to get back.  
And once you realize that, I don't think  
anyone will go down there waving flags  
and carrying banners too fast.

**Mr. Coyne** moved to approve the Minutes  
of Monday, October 10, 1988.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, November 7, 1988

No. 43

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk  
Pittsburgh, PA

Monday, November 7, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Wagner:

Thank you Mr. President and Members of Council, this first resolution is a great honor and a pleasure, and I'd like to ask Miss Suzie McConnell the gold

medalist from the City of Pittsburgh in the Summer Olympics to please step forward to receive the resolution.

I think its unusual as Suzie's coming up, we have had two resolutions this year for Suzie and I'd like to read with your indulgence the first one, because the first one sets the stage for the second one. This was back in July of this year on July 25th.

WHEREAS, on July 23, 1988 friends, relatives, and countrymen will celebrate a Block Party on Dunster Street in Brookline on behalf of our All-American selection to the 1988 Olympic Basketball Team, Suzie McConnell; and

WHEREAS, the City of Pittsburgh and the residents of Brookline are very proud of the numerous accomplishments of Suzie McConnell going back to the time when she began her dominance in basketball playing for Our Lady of Loretto School which won the Diocese of Pittsburgh Championship; and

WHEREAS, Suzie then moved onto Seton La Salle and was part of a great Rebel basketball team that won the PIAA State Championship and in the process Suzie was named to 1st Team Parade All-American; and

WHEREAS, Penn State recruited Suzie McConnell, a very wise choice, and she continued her dominance at the NCAA level by leading the Nation in assists for two straight years and becoming the second leading scorer of all time in Penn State history; and

NOW, THEREFORE BE IT RESOLVED, that the members of Pittsburgh City Council, the Mayor, and the residents of the City of Pittsburgh are very proud of the accomplishments of Suzie McConnell and wish her success in becoming a member of the United States Olympic Team and leading the team to a Gold Medal in Seoul South Korea.

BE IT FURTHER RESOLVED, that the Council, the Mayor, and residents of the City salute Suzie's parents, Tom and Sue, the McConnell Family, all her friends and relatives and the roles that all have played in helping Suzie in achieving her goal of representing America in the upcoming Olympic Games.

Now, we passed that resolution about three months ago and I presented it to Suzie, and this is another copy prior to her going to Seoul, South Korea, and we're all rooting, and hoping, and wishing that first of all she would make the basketball team, and secondly that they would win a medal, and thirdly that they would win the gold medal. We're very proud to say that they did and this resolution today is a result of that. It reads as follows:

**Mr. Wagner presents**

No. 1639 WHEREAS, Suzie McConnell returned triumphant from the games of the 24th Olympiad, held in Seoul, South Korea, as a gold medalist; and,

WHEREAS, it was quite apparent to anyone who watched the United States Women's Basketball Team "Go for the Gold" that Suzie McConnell was the player that made the team sparkle; and,

WHEREAS, Suzie McConnell's gold medal performance, including 18 points

against the Chinese team, was the culmination of a great career which began at Our Lady of Loretto School in Brookline, continued at Seton-LaSalle High School and Penn State University where Suzie established her record as the all-time assist leader in NCAA history;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the residents of this City, hereby thank and commend Suzie McConnell for all of her accomplishments and for the recognition she has brought to the City of Pittsburgh by bringing home the gold.

**Mr. Wagner** moved to adopt the resolution.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Prior to Suzie saying a few words — I'm sure all of you know that she is no stranger to City Council in that she has worked in the past for then Council member Sophie Masloff as an assistant during the summer. Her grandfather was in public office, Mr. John McGrady of which all of us knew him, and she continues to set the tradition in that family.

Suzie, I have to say that we here in Council and all of the people of the City of Pittsburgh are extremely proud of your accomplishments throughout your grade school, high school, college, and especially the Olympics winning the gold which you are wearing today, and I'm sure everyone's going to get a good look at it. But, we're also very proud of the person that you are and what you have represented, especially to young people. That is extremely important today that they have role models, and I can't think

of a better role model than Suzie McConnell.

**Suzie McConnell:**

It's been a while since I've been back here, but I'm very happy to be back here in Pittsburgh, and obviously I couldn't have done and accomplished what I did without the support that I have gotten. I thank my family and all the people who supported me in the first resolution with the block party.

Secondly, it's great to be back here in Pittsburgh and be recognized here in my home town. Thank you for the support throughout the Olympics that each of you have given me, and I just want to thank you for this resolution. I know I've been here when I was in high school but this one even means more to me because it was from the Olympics, and that was the greatest event that I've ever played in. Thank you very much.

**The Chair:**

It shows we're all getting old I remember when they won the high school championship and she got her resolution here.

**Mr. Wagner:**

Mr. President, Members of Council, I have one other resolution. I would like to ask two individuals to please step forward from the United States Marine Corps; they are Sergeant Raymond and Lieutenant Kaufmann to receive this resolution. Gentlemen, welcome. The resolution reads as follows:

**Mr. Wagner presents**

No. 1640 WHEREAS, November 10, 1988 marks the 213th Anniversary of the United States Marine Corps, established in 1775; and,

WHEREAS, the Marine Corps was originally formed as a rapid deployment force to establish a beachhead and hold the position for the other armed services to occupy; and,

WHEREAS, the Marine Corps has become a legendary fighting force in our nation's military history with gallant combat efforts dating back to the Revolutionary War, and particularly heroic actions in our own century with the European Expeditionary Forces in World War I, the Pacific Theater at Guadalcanal, Iwo Jima, and Okinawa in World War II, on the frozen battlefields of Korea, and the tropical jungles of Vietnam, and recently in Lebanon and Grenada; and,

WHEREAS, the brave men who made the supreme sacrifice for their country and the Corps are a testament of the Marines' devotion to the defense of our nation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, proclaim the week of November 6th through November 12th as "Marine Week" in Pittsburgh as a tribute to the 213th Anniversary of the United States Marine Corps.

**Mr. Wagner** moved to adopt the resolution.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I'd like to ask Lieutenant Kaufmann to please say a few words. I'd also like to mention in addition to myself, Councilman Coyne, and Councilman DePasquale are former Marines, "once a Marine always a Marine". The Birthday

of the Marine Corps is Thursday, November 10th. There's a big luncheon tomorrow. I know there's a big dinner later in the week. We all salute you in your efforts and would like you to tell us a little bit about it.

**Lieutenant Kaufmann:**

On behalf of the retired and active Marines in the Western Pennsylvania area I'd like to thank the Council in the City for this recognition. We really appreciate that. Speaking on behalf of the Recruiting Service from which Sergeant Raymond and I are a member, we feel lucky to be in this part of the country and this area to do our recruiting. It's outstanding support for the Marine Corps and the military in general. So, we will continue to send some good people from Pittsburgh down to recruit training and into their careers in the Marine Corps. We appreciate the support and the recognition today.

**Mr. Coyne presented**

No. 1594 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$106,644.37 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way, payable from Code Account EC 87-12. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1595 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection Services in connection with the Reconstruction of Grant Street - Phase 4 at a cost not to exceed \$125,000.00, chargeable to and

payable from the Grant Street Trust Fund.

Also,

No. 1596 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Richard Connors to receive reimbursement for attending a CEC/Pennsylvania and PennDOT Seminar, "Design Manual, Part 4, Structures" held at the Holiday Inn, in Indiana, PA, October 20-21, 1988, at a cost not to exceed \$60.00, payable from Code Account No. 1482, Miscellaneous Services. The topic of this two-day seminar was "Policies and Procedures".

Also,

No. 1597 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Richard Connors to attend the CEC/Pennsylvania and PennDOT Seminar series, "Design Manual, Part 4, Structures" to be held at the Holiday Inn, in Indiana, PA, December 6, 1988, January 12, 1989 and February 22-23, 1989, at a cost not to exceed \$150.00, payable from Code Account No. 1482, Miscellaneous Services.

Which were severally read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1598 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Eugene Thomas to attend a course entitled, "Command and Control of Fire Department Operations at Catastrophic Disasters" at the National Fire Academy, in Emmitsburg, Maryland, December 11-23, 1988, at a cost not to exceed

\$208.00; payable from the PSTA Code Account, Bureau of Fire. Permission is also requested for use of a City vehicle. This is a two-week course designed to give the student an awareness of the magnitude of damage and problems associated with catastrophic disasters and the effect these conditions will have on the ability of fire units to function.

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1599 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (b) Regular and Special Meetings by changing the day of the Standing Committees meeting of Council, from Wednesday at 10:00 A.M. to Thursday at 10:00 A.M.

—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1600 Resolution granting unto Mary Schepple, 1600 St. Patrick Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of her porch over a portion of the right-of-way of St. Patrick Street in the 17th Ward of the City of Pittsburgh.

Also,

No. 1601 Resolution vacating Gilpin Way from Middletown Road northeastwardly 63-feet to a point in the 20th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1602 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "C3" Commercial District to "R5" Multiple-Family Residence District all that certain property bounded by: CENTRE AVENUE; the "C3" Zoning District boundary line located south of CENTRE AVENUE and west of SOUTH AIKEN AVENUE; and the Railroad right-of-way between SOUTH AIKEN AVENUE and CENTRE AVENUE as it coincides with the "C3" Zoning District Boundary Line, 7th Ward.

Also,

No. 1603 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a five and seven-story physician's office building; and 827-stall parking garage; an eight-story west wing; and a two-story addition to the east wing to Shadyside Health, Education and Research Corporation/Shadyside Hospital on property zoned "R5" Multiple-Family Residence District located on the southerly side of CENTRE AVENUE and the westerly side of SOUTH AIKEN AVENUE, 7th Ward.

Also,

No. 1604 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Better Block Development Corporation for an amount not to exceed \$25,300.00, payable from the Neighborhood Housing Fund. The redeveloper is a Pennsylvania Corporation. The Officer is George A. Fitch, President. The address is 801 N.

Homewood Avenue, Pgh., PA 15208.

Also,

No. 1605 Resolution amending Resolution No. 212, effective March 13, 1987, entitled: "Resolution providing for an Agreement or Agreements with Community Human Services, Inc., and the Urban Redevelopment Authority for financial assistance to operate and expand their early childhood and congregate living centers in an amount not to exceed \$50,000.00, so as to change the use of funds for the project, chargeable to and payable from the 1987 CDBG Program - City Council - Community Human Services, Inc. (CC-87-06).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff presented**

No. 1606 Resolution providing for a warrant in favor of Patricia Martin Hunt, in the amount of \$3,000.00 for professional consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council. Funds are being expended from Michelle Madoff's Administrative Assistant Account. —(SPONSORED BY MICHELLE MADOFF)

Also,

No. 1607 Resolution providing for the transfer of \$3,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account 1970 (197004), Salaries, Purification & Pumping Division. Additional funds are required because salary accounts were budgeted without 1988 union settlements and also,

because of an abnormally low amount of vacancies in the Purification & Pumping Division during 1988.

Also,

No. 1608 Resolution providing for the transfer of \$18,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account 1985 (198507), Equipment, Distribution Division, Department of Water. Additional funds are required to purchase upgrade equipment for the department's existing leak detection equipment.

Which were severally read and referred to the Committee on Finance.

**Mr. Pollock presented**

No. 1609 Resolution providing for the issuance of a warrant or warrants, in the amount of \$16,500.00 in favor of A&H Equipment Company, an authorized factory representative, Grace Amick, President, for the repair of the "Aquatech Vactor", (PW 371V), which had to be returned to the manufacturer for this repair, payable from Code Account 1150, Outside Repairs, Department General Services.

Which was read and referred to the Committee on Finance.

**Mr. Wagner presented**

No. 1610 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure. (Present Rate 1.125%)

Also,



No. 1611 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 256, Home Rule Realty Transfer Tax, Sections 256.02 (a), Levy and Rate, and 256.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act. (Present Rate 1/2%)

Also,

No. 1612 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax. (Present Rate 6 mills)

Also,

No. 1613 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 247.02, Tax Levy and Rate by changing the rate of tax. (Present Rate 6 mills)

Also,

No. 1614 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax. (Present Rate 25%)

Also,

No. 1615 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation, by changing the general rate found in Subsection (a). (Present Rate 10%)

Also,

No. 1616 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax, Section 245.02, Levy and Rate, by changing the rate of the tax. (Present Rate 1%)

Also,

No. 1617 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax. (Present Rate - Wholesale Vendors 1 mill)  
(Present Rate - Retail Vendors 2 mills)  
(Present Rate - Restaurants 2 mills)

Also,

No. 1618 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.02, Levy and Rate, by changing the rate of tax. (Present Rate \$10.00)

Also,

No. 1619 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Sections 255.02(a), Levy and Rate, and 255.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act. (Present Rate 1%)

Also,

No. 1620 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Chapter 261, Personal

Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax. (Present Rate 4 mills)

Also,

No. 1621 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1989.  
(Present Rate 151.5 mills on Land, 27 mills on Buildings)

Which were severally read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Mr. Ferlo:

Discussion. Mr. Chairman, if I understand these bills correctly, and unless I'm wrong I would like to be corrected by the Finance Chairman, that they continue the present tax structure into next year, and my question is; isn't it premature prior to the annual tax hearing which will be held later on in November for us to move on these bills now? That would be one part.

Secondly, I submitted a bill in relation to a tax matter which I was holding in time for the tax hearing and then final action later on on the elimination of the commercial tax abatement program. I'd like a response on that?

The Chair:

He introduces them now. We can hold them Wednesday until budget time, then they'll come up after the tax hearings.

Mr. Ferlo:

So, we're not asking for a final vote now, we're just --

The Chair:

No. Mr. Wagner, do you have something to add?

Mr. Wagner:

Yes, it's procedural. They must be introduced at least three weeks prior to the tax hearing and this year the tax hearing has been moved up several weeks in our budget schedule. It will be November 28th. Therefore, they're being introduced a little earlier. They will all be held until after the 28th.

Mr. Ferlo:

Thank you.

Mr. Coyne:

Mr. Chairman, last week we had to vote where we were moving the Monday meetings until Tuesday.

The Chair:

That's in January.

Mr. Coyne:

Okay, is that starting in January?

The Chair:

Yes, in January.

**Mr. Pollock:**

All the bills that were just read for Finance were waived Rule 8 on — but if we're holding them why are we waiving Rule 8? I don't understand.

**The Chair:**

Because they still have to be advertised. Mike, do you want to explain?

**Mr. Perry:**

Yes, that's so we can advertise them for the hearing. That's why we're waiving Rule 8 on them.

**Mr. Pollock:**

You can't advertise —

**The Chair:**

No, not on the introduction.

**Mr. Pollock:**

Thank you.

WHICH MOTION PREVAILED.

Also,

No. 1622 Resolution providing for the issuance of a warrant in the amount of \$12,500.00 payable to Mark V. Martin, c/o Morton B. DeBroff, Esquire, 4304 Butler Street, Pittsburgh, PA 15219, in full settlement of a claim for personal injuries arising from personal injuries sustained in a fall-down on April 1, 1986, at Perrysville and Shelton Avenues, Pittsburgh, PA, payable from Code Account No. 46, Judgments.

Also,

No. 1623 Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser or Appraisers for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involved real estate in the City, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 1624 Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with public hearing(s) at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1035, Miscellaneous Services, Commission on Human Relations.

Also,

No. 1625 Resolution Repealing Resolution No. 400, Item H, approved June 6, 1988, which authorized the sale of property in the 6th Ward, being a vacant lot, located at 3439 Denny Street, designated as Block 49-N, Block 202, to James A. and Sandra L. Genco, his wife for the sum of \$300.00. The reason for the above Repealing Resolution is that the Title Search revealed that the City does not have a valid title for the property.

Also,

No. 1626 Resolution Repealing Resolution No. 314, Item A, approved April 25, 1988, which authorized the sale of property in the 4th Ward, being a vacant lot, located at 2136 Fifth Avenue, designated as Block 11-K, Lot 56B, to

Raphael Mitchell and George Hollis for the sum of \$750.00. The reason for the above Repealing Resolution is that the Title Search disclosed that the City does not have a marketable title for the property as the Sheriff delivered a deed for the wrong property that is adjacent to the West.

Also,

No. 1627 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1628 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1629 Communication from James Turner, Director, Department of Finance, requesting authorization for Henry Sciortino to be a panel speaker entitled, "Financing Out Future," in Cleveland, Ohio, November 28-29, 1988, at a cost not to exceed \$500.00, payable from Code Account No. 1063, Miscellaneous Services. On behalf of the Government Finance Officers Association, they have invited Henry to serve as a featured speaker at a one-day regional workshop with the National League of Cities, National Association of State Treasurers, National Conference of State Legislatures, American Public Power Association and other national public interest groups, on the future of tax-exempt financing.

Also,

No. 1630 Communication from Thomas Flaherty, City Controller, City of Pittsburgh, requesting authorization for Edward Cassidy to attend the 1988 Intermediate Governmental Accounting Seminar, in Sarasota, Florida, December 6-7, 1988, at a cost not to exceed \$925.00, payable from Code Account No. 1048, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

#### **The Chair presented**

No. 1631 Resolution authorizing the issuance of a warrant in favor of Modern Reproductions, Inc. in the amount of \$896.70 in payment for printing services, chargeable to and payable from Code Account 1801, in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1632 Resolution transferring the sum of \$2,500.00 from Code Account 1003, (Index Code 100305) Miscellaneous Services, City Clerk's Office, to Code Account 1005-2, (Index Code 100529), Printing Municipal Records, City Clerk's Office. This transfer is needed to meet the payments for the remainder of the year 1988 for printing costs for the Municipal Record. —(SPONSORED BY MR. WOODS)

Also,

No. 1633 Resolution transferring the amount of \$65,000.00 from Code Account 1803, Utilities, Index Code 180307 to Code Account 1800-01, Administration Premium Pay, Index Code 180018, in the Department of Parks and Recreation. This transfer is necessary to meet year-end premium needs. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

**Mr. Wagner presented**

Bill No. 1634

Report of the Committee on Finance for November 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1523

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Project Development Group, Inc., in the amount of \$355.00 in payment of professional services rendered on Hazlett Theater Ceiling Renovations; and providing for the payment thereof."

Which was read.

**Mr. DePasquale:**

Just curious, the Hazlett Street Theatre is that a City owned theatre or do they put on City productions? Why are we fixing their ceiling?

**The Chair:**

What bill are you referring to?

**Mr. DePasquale:**

1523. I realize there has to be a reason why we're doing it, but I was curious what it was.

**The Chair:**

I have no idea, Jeep.

**Mr. Depasquale:**

Pass on it. I think that's the one over on the North Side.

**The Chair:**

Yes, the \$355.00. I know where it's at. It doesn't say in any part of the bill. Do you want to do something with the bill?

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1542

A Resolution entitled, "Resolution providing for the transfer of \$44,500.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account

1982 (198200) Miscellaneous Services, Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1543

A Resolution entitled, "Resolution providing for the transfer of \$3,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water to Code Account 1972 (197202), Miscellaneous Services, Purification & Pumping, Department of Water."

Which was read.

Also,

Bill No. 1545

A Resolution entitled, "Resolution transferring the aggregate amount of one-hundred and fifty thousand dollars (\$150,000) from Code Account 53 (005306), Debt Service Auditorium Authority, to Code Account 47-1 (004713), Union Bonuses."

Which was read.

Also,

Bill No. 1546

A Resolution entitled, "Resolution transferring \$7,000.00 from Code Account No. 0048 (004804) No Fault Insurance Claim, Department of Finance, to Code Account No. 1022 (102202) Salaries, Regular Employees."

Which was read.

Also,

Bill No. 1569

A Resolution entitled, "Resolution transferring the amount of One Thousand (\$1,000.00) Dollars from Code Account 1630, Salaries and Wages, Regular Employees, Index Code 163006, to Code Account 1620, Salaries, Regular Employees, Index Code 162008, all accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1573

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred and Eighty-Four Thousand (\$184,000.00) Dollars from various Code Accounts to various Code Accounts, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 1574

A Resolution entitled, "Resolution transferring the sum of \$7,000.00 from Code Account 10 Accounts Payable Prior Years, to Code Account 1802, (Index Code 180208), Supplies, Department of Parks and Recreation." —(SPONSORED BY MR. WAGNER)

Which was read.

**Mr. Wagner:**

Mr. President, Members of Council, in regard to Bill No. 1574, first of all I'd like my comments brought forward for the record on the bill. It's the allocation of \$7,000 from a Council Code Account to Parks and Recreation. The purpose being to buy materials for the receding of a field in Brookline sometime in the immediate future.

I simply want to state for the record the City will manage all of these funds. It's unusual in terms of monies being expended from Code Account 10 in comparison with other monies in that the monies are generally given to a community group who then manages the expenditure of the funds. That's not the case with this bill. With this bill the City will actually buy all the materials. The cooperation agreement is with the labor for the work to be done, and the placing of the top soil, and the receding of the field.

The field is in great need of this work prior to next year. When I say in great need I mean to the point where injuries could occur in the use of the field. The various Little Leagues that utilize the field and soccer teams have volunteered their services to provide the

work. The work will be done within the next month, and it is a very unique first time opportunity that could set a precedent in the future where we could get greater cooperation from various community groups to do work, and in the long run could save the City taxpayers a lot of dollars. I appreciate your support on the bill.

**Mr. Pollock:**

I'd like my comments brought forward on Bill No. 1574.

**Michelle Madoff:**

On the bill that relates to the receding of the ballfield in the Brookline area. I have just one question, and I'd like my comments brought forward as well. I think it may be the beginning of the kind of thing we need to do to save City taxpayers dollars. The kind of thing you only learn by being here a number of years, and now that Mr. Wagner has been here — how long is it Jack, are you in your fifth year? It takes a while to know that here's an example of how the private public sector venture could be expanded on all the ballfields, in all parks so that the City could save a tremendous amount of money. There are hundreds of other ways we could do that in the City, but one concern I have and it was supposed to be checked and we would know by today — I saw it, is there an insurance policy? You were concerned about the insurance.

**Mr. Wagner:**

No there isn't.

**Michelle Madoff:**

I think that we ought to make sure that before this is — I mean I support it one hundred percent, but if the organization in Brookline is going to do

the ceding that we ought to be sure that they're covered with the same kind of policy we would be. We're talking about very small dollars -- the chance of somebody getting hurt. But, we also need to provide that and then provide it as a routine matter in all other contracts.

We are self-insured. If somebody gets hurt there the taxpayers are going to have to pay the money, and that is why the Administration has been afraid to be creative and be innovative. Here's a creative, innovative, cost-effective way of doing business, which brings us together in the City and the only thing that would be something we ought to proceed with before we continue is to be sure there's some kind of a small policy, and we're not talking big money. Could we be sure that before the contract is awarded that there is a policy?

**The Chair:**

Okay, is that it?

**Michelle Madoff:**

No, but I want to know.

**The Chair:**

Well, we'll -- yes --

**Michelle Madoff:**

-- I'm not talking to have myself heard. What's the next procedure that we would take to make sure that there's an insurance policy?

**The Chair:**

We will make sure that the Law Department when they enter into an agreement -- Mike you put that in the form of legislation to make sure there's insurance.

**Mr. Perry:**

Okay, Ben.

**(MR. WAGNER'S, MR. POLLOCK'S & MICHELLE MADOFF'S REMARKS ON BILL NO. 1574 INSERTED ON THE FOLLOWING PAGES)**



(MR. WAGNER'S COMMENTS ON BILL NO. 1574 - Wednesday, 11-2-88)

Mr. Wagner:

I would like to explain the bill, since I sponsored it, then, Mr. Ferlo, you can have the floor.

This is an unusual piece of legislation. It pertains to helping a community group with a problem that they have at a little league field. The Department of Parks and Recreation is not capable of re-seeding a field that needs to be re-seeded as soon as possible. The community group has volunteered to do the work themselves if the City of Pittsburgh can supply the materials. This piece of legislation is transferring \$7,000.00 from a code account within Council to Parks and Recreation for that purpose. The community group is the Brookline Little League Association, and the location is the Brookline Memorial Park. Hopefully, this work can be done in the fall of 1988 so that the field can be utilized by the community in the spring of 1989.

(DELETED DIALOGUE)

Mr. Wagner:

Well, as sponsor of the bill, again I will respond to some comments, and also the worthiness of the legislation as it sits. It is a very simple piece of legislation, and I think anyone here in the audience that reads it can understand it and the intent of it.

There are no monies going to any community group. This is not a Santa Clause fund in any way, Code Account 10 within Council, it is a very legitimate fund that has funded very legitimate projects, including the one in this piece of legislation. The money is transferred from a Council Code Account to a Parks and Recreation Code Account for supplies and materials. Parks and Recreation will buy the materials to do a project, to redo a little league field with the help of a community group doing the manual work. I also have volunteered to do the work.

The reason behind the legislation is that the City of Pittsburgh cannot address this problem within a reasonable period of time. In addition to that, it would cost the City of Pittsburgh approximately \$50,000.00 to contract out this work. We can do this for less than \$10,000.00; one-fifth the cost. Now, whether it is done this year or next year, the way I view that, that is about a \$40,000.00 savings to the taxpayers in the City of Pittsburgh. It also reduces the potential of people being injured on a field if it is properly seeded, because the field presently is not in good condition. This legislation is very good legislation. Any Councilmember can take whatever cheap shots they want at the legislation, for personal reasons or whatever, and you can vote against the legislation, but the legislation is clean and simple. And I would appreciate the support of any Councilmember for the legislation.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL)

(MR. POLLOCK'S COMMENTS ON BILL NO. 1574 - Wednesday 11-2-88)

Mr. Pollock:

There is just one little flaw in this whole bill, and that is the fact that the money is not in the Parks account to do this work and is being transferred into there from Code Account 10, and Code Account 10 has nothing to do with Parks and Recreation. Code Account 10 is the City Council Santa Claus account where money is pulled out to give to neighborhood groups and everyone else to use for pet projects.

What I don't understand is -- and I, too, wanted the Director to be here to discuss this, because if the money wasn't in the account, then no matter who is going to do the work, volunteers, the City, or some combination thereof, then the work wasn't supposed to be done. And no matter where you bring the money from, \$7,000.00 is \$7,000.00 of City money that was not supposed to be spent in this year obviously, or else it would have been in the account.

The point I am saying is I would like the Director to know when this field was going to be re-seeded, and if it wasn't supposed to be done in 1988, or if it was, why isn't the money in it, and if it wasn't, then it shouldn't be sped up ahead of some time table that it is supposed to be done, and there is no reason why the time table that was supposed to be followed couldn't still be utilized and this same volunteer type effort also be used. But, I mean, to give away \$7,000.00 simply because of the effort of the community is not -- it is still \$7,000.00 of City money that is being spent from an account not for that purpose when the Parks had no plan to spend that money. And that is why we have a budget process. They have time tables, and there are a lot of different projects around this city that have to wait for certain time tables. We all get calls about certain things everyday, and we have to find the answer. The Parks or Public Works or whatever, they have set time tables, when the dollars will be spent, when it is due to be done, and so forth. And no matter what you call it, this is \$7,000.00 of City money being given away in a process that really bypasses what City Parks is supposed to do.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 1574 - Wednesday,  
11-2-88)

Michelle Madoff:

Mr. Wagner, you should be congratulated, because I think it is very creative and innovative, and the kind of thing we ought to be doing more of.

I agree with you, Mr. Ferlo, this might be a precedent setting example, so that when we get to budget time we might be asking the question from the Director, how many ball fields do you need to see, how many other parks do you need to maintain, could we get community groups involved, because there is no question it is cost effective, you get communities involved, and it is a dynamite bill from my perspective.

It is a shame that we had to wait this long for someone to come up with this kind of idea. I have been on that ballpark, I think I threw out the ball this year. It really needs help. That park is really used tremendously by a number of people. It is a wonderful community, and the children and parents have this wonderful ongoing kind of program.

I think in the long run this would be an exemplary bill, and again, I would ask you if you would -- and I would be happy to co-sponsor it with you, and I am sure all of Council would -- before we get to the budget, would you introduce legislation that would request that the Administration and the Director of Parks review her budget and look at every possible area where they have a relationship with community groups, where they have to seed, or maintain, or clean, what have you. And not only Parks and Recreation, maybe General Services, or maybe Refuse Department, where we could have more of this kind of thing. Because we all know the last two budget statements by Mayor Caliguiri stated this is exactly what is going to happen; cutting back on refuse workers, we are cutting back on maintenance of the parks. We have had this dialogue before. We have to get our priorities in order, and this is a great example of getting our priorities in order. This says, "Hey, we can get the job done maybe better, and it will be maintained better," because when you put your own sweat from your community in it, you are going to look after it better. I really can't congratulate you enough on it.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL, STENOTYPE REPORTER)

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 1635

Report of the Committee on Public Works for November 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1531

A Resolution entitled, "Resolution vacating Crispen Street from Danbury Street northwesterly 213.81-Feet more or less to a point, reserving the 6" water line located therein in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1568

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing and supplying neighborhood street signs throughout the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1570

A Resolution entitled, "Resolution amending Resolution No. 176, effective March 30, 1988, entitled: 'Resolution providing for a Contract or Contract, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof,' by increasing the total allocation by \$100,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 1636

Report of the Committee on Planning, Housing and Development for November 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1536

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh, consisting of a street running through the property, designated in the Deed Registry Office of Allegheny County as Block 48H, Lot No. 200, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1537

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire from CSX Transportation, Inc. all of its right, title and interest in approximately 9.80 acres in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as part of Block 48H, Lot No. 200."

Which was read.

**Mr. Ferlo:**

I'd like my comments brought forward on Bill 1536 and 1537. I'll make one brief comment that in relation to providing this authorization to purchase the CSX property for development that Director Donahoe from the URA made it clear that the development is for commercial activity in cooperation with the Lawrenceville Development Council, and specifically, if there was going to be any municipal usage of this property be it for Parks and Recreation or heavy equipment or any other City department, they would definitely have to come back and seek authorization from this Council, and I would like my comments brought forward, thank you.

**(MR. FERLO'S REMARKS FROM BILL NOS. 1536 & 1537 INSERTED ON THE FOLLOWING PAGES)**

(MR. FERLO'S COMMENTS ON BILL NOS. 1536 & 1537 - Wednesday,  
11-2-88)

Mr. Ferlo:

This is an excellent piece of legislation. There are a number of concerns which I would like the Administration to address. By way of comparison, in terms of the costs, this is a little over nine acres at \$700,000.00, by way of comparison, the Pittsburgh High Technology land assemblage is, I believe, costing over \$500,000.00 per acre, if I am not mistaken. So by way of comparison, we are getting a good buy here, in terms of the potential for industrial manufacturing or commercial usage of this massive property.

There are several concerns I have. Nowhere in any of the legislation in the three bills -- there is also another bill on the enterprize zone, but on these two bills in particular -- is there any explicit role or mention of the development corporation in the area, and I would like to hear a comment on that.

Secondly, I believe there are at least three city departments that were exploring usage for part of this nine acres. One was the Auto Pound, Parks and Recreation, and I believe Heavy Equipment Division. Now, I would like to know prior to a final vote on this, what is the actual status of each one of those, that is my second question.

The third question is the issue of hazardous materials on this property and what are the actual reports of the core drillings and the environmental study that you have done, prior to a final vote.

Mr. Donahoe:

On the first point, I am not sure about the \$500,000.00 per acre for PTC, I would assume that includes a site preparation cost, as well.

Mr. Ferlo:

I am talking about the site preparation cost.

Mr. Donahoe:

What we are doing today is only authorizing the purchase of this land. There will also be site development costs, so what the per acre cost will be is something that will be determined down the road.

On this second point of why the development corporation isn't mentioned in the bill, they don't have a legal role at the moment. We are working with them, and you have my commitment on that. I wouldn't know how to insert them in this particular legislation, whether they might ultimately be the disposition agent where they would take over the land and market it, or whether they would simply try and market it. I don't know how that is going to finally evolve.

In terms of the hazardous materials, we did have a review

made of this property. Although it hasn't been occupied by an industrial site, it did have railroads on it, and there is always a potential for problems. The consultant found that the site does contain remnants of what appear to be gasoline and oil spillages that occurred. Apparently they fueled trains on this site, and while they are not hazardous in the sense of blowing up or something like that, they will have to be removed. But it is not an unusual problem and certainly not an unusual one for any place that the city is going to try and redevelop an area that had railroads on it or any kind of industrial site. I can provide you with a copy of the report before the final vote, if you like.

Mr. Ferlo:

In approving this, we are not buying into a headache or a problem, in your opinion?

Mr. Donahoe:

In our opinion, that is correct.

Mr. Ferlo:

That included core drillings?

Mr. Donahoe:

That is correct. Well, they did drillings, I am not sure the technical name, but I will supply you with the report.

Mr. Ferlo:

And the other issue of the usage by City departments?

Mr. Donahoe:

What we have been advised is that through the capital budget process they have been trying to come to some conclusion as to whether or not the city wants to reserve a portion of this site for some city use. I don't have a final answer on that. What I have told -- we have to, in essence, move now; CSX would like to close on this. What I have told my board is that it up to the city and ultimately Council to determine whether that is a use that you want to make of this site. We have told the community that there may be a need for the city to reserve a small portion of it for some particular need, and that is as much as I know about it at this point.

Mr. Ferlo:

The thing I feel uncomfortable about is once we approve this, it sort of leaves our table, and I am not sure that we have another opportunity to address the issue of the municipal use.

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Mr. Donahoe:

I would think, Councilman, you would. I am not sure whether the cooperation agreement --

Mr. Ferlo:

That is what they said about the Buhl Center and some other things that we approved, and things never come back to this table. The Administration has lot of leeway.

Mr. Donahoe:

I don't want to fight with you. I think you do.

Mr. Ferlo:

So you think we will have an opportunity on that issue?

Mr. Donahoe:

I think there is no question. You are telling us to use an industrial land reserve fund to acquire this property. I can only use it for industrial purposes. If the city determines that they want to use it for some other purpose, a city warehouse, public housing, something else, it seems to me it is Council's fund, you are going to have to tell us that we can release that property.

Mr. Ferlo:

So you are saying, for the record, that if there is some debate later on, having already approved this or approving this on Monday, on the actual usage of the property for municipal purposes, we will be able to debate that and block it if we want to?

Mr. Donahoe:

I don't know how the city feels. I would insist on coming back here and making sure that Council authorizes that use.

Mr. Ferlo:

I see a potential problem. Your opening statements was the best statement, that you are packaging this for commercial industrial usage, you are working in cooperation with the local development council, and this is the priority, that you treat this as a premium and the fact that you are filling a significant vacuum. I would hate to see any of this be municipal usage, which is not only tax exempt property, but really defeats the major priority of packaging this property. And I know for a fact -- and I was hoping Director Brown was here -- that Parks and Recreation specifically wants a piece of that property for a garage and a parking lot. I would like to know from her prior to a final vote, what is -- I mean, there



---

should be some clear indication from the Administration what their intentions are regarding the use of this property, either Parks, or there were other rumors about heavy equipment. And I think the auto pound idea was scrapped; is that the case?

Mr. Donahoe:

I believe they are talking about a type of warehouse facility. Just as it is difficult to find industrial sites around the city, it is also very difficult to find sites for city facilities. That is a real problem that they are coming to grips with.

Mr. Ferlo:

I understand, but there is a difference between packaging what you have said by your own words, prime priority property in cooperation with a development council, who I believe has at least three perspective tenants right now, versus a smaller priority, or let's say a lesser priority, like Parks and Recreation's parking lot and storage facility, which if we look out through our neighborhoods, we can find many places like that that we could purchase even if we had to on the private market, and that the priority for this should be, as you stated originally, the need for packaging industrial/commercial development. And if there is a conflict later on, I want to be sure that this Council has an opportunity to intervene in that and it is not leaving the table here today and it is going to be decided by the Administration and the URA.

Mr. Donahoe:

As I said, it is my position -- and I don't want to speak for the City -- but it is my position that if we ever use this site for anything other than industrial land reserve, which is what the cooperation agreement talks about, that we would have to return here and get your permission to release one acre, half an acre, whatever it is, for that purpose.

Mr. Ferlo:

Could we, before the Monday final vote, at least hear from Department Director Brown via a letter on the status of their planning? I don't know if it is in City Planning or Parks and Recreation, that would be one thing, and two would be for Council and the Clerk to receive, as you stated, Mr. Donahoe, you would supply a copy of the environmental impact letter.

(END OF REMARKS)

(TRANSCRIBED BY HELEN L. KRIEBEL) ..

Also,

Bill No. 1538.

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the North Side Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs; providing for the payment of the costs thereof not to exceed \$125,000.00."

Which was read.

Also,

Bill No. 1539

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Lawrenceville Enterprise Zone Project funded by the Pennsylvania Department of Community Affairs; providing for the payment of the costs thereof not to exceed \$125,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Pollock presented**

Bill No. 1637

Report of the Committee on General Services for November 2, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1525

A Resolution entitled, "Resolution Repealing Resolution No. 638 effective August 12, 1988 entitled: 'Providing for a Contract or Contracts or the use of existing Contracts or Contracts to purchase metal lockers for turnout gear for the Bureau of Fire and providing for the payment thereof.'"

Which was read.

Also,

Bill No. 1490

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts for the purchase and installation of Work Stations, etc., for the Department of General Services, in conjunction with the Retrofit of the Public Safety Building, Code Account 4-30-01-0010-86, Index Code 370692, Retrofit of Public Safety Building." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 1638

Report of the Committee on Engineering and Construction for November 2, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1524

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation to Various Roofs including but not limited to #3 Fire Station and Maintenance Repairs to the City-County Building Roof; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1557

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing EC 88-30 by \$125,000.00 and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1558

A Resolution entitled, "Resolution amending Resolution No. 362, effective

May 31, 1988, entitled: 'Providing for an Agreement or Agreements or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Miscellaneous Renovations to the Pittsburgh Aqua Zoo; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$125,000.00 from \$116,536.00 to \$241,536.00."

Which was read.

**Michelle Madoff:**

On Bills 1557 and 1558 those are two bills that are substantive dollars that the City of Pittsburgh taxpayers need to pay and will be paying for the Zoo. One is \$241,536 and the other is \$125,000. We're into practically a half a million dollars which the City of Pittsburgh taxpayers cannot afford to pick up a loan. Three quarters of the people using the Zoo are non-city residents, and even though we are going to have a fee for service where non-city residents will pay a slightly larger fee for admission that is taking forever, and has not come about yet.

I might remind this Council that in the beginning when God created the new contract for the Pirates and the county was going to give us some little monies that was funneled to us -- the original dollars were to be for the Zoo. They were not to be for whatever they're funneling it to now, and still haven't given us the money.

I think its appropriate that some point when we get to budget hearings we ought to sit down and talk about realities, and we ought to talk about privatization of the Zoo, and we need to do something to take that burden off of City taxpayers backs, and I will vote no on both those bills as usual.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7                      NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. DePasquale** moved to approve the Minutes of Tuesday, October 18, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Discussion.

**Mr. DePasquale** moved to adjourn.

**Michelle Madoff:**

I already had my hand up for discussion.

**The Chair:**

Is there a second?

**Mr. Ferlo** seconded the motion.

**Michelle Madoff:**

I had my hand up for discussion.

**The Chair:**

Motion to adjourn is always in order.

All in favor --

**Michelle Madoff:**

May I comment on the motion to adjourn?

**The Chair:**

It's not debatable, it's always in order.

**Michelle Madoff:**

I think that when you can say that everyone will do this, I will start doing the same thing.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

**AYES 5**

**NOES 3**

**VOTING NO:**

Mr. Coyne  
Michelle Madoff  
Mr. Pollock

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, November 14, 1988

No. 44

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, November 14, 1988

#### PRESENT:

|                |                               |
|----------------|-------------------------------|
| Mr. Coyne      | Michelle Madoff               |
| Mr. DePasquale | Mr. Pollock                   |
| Mr. Ferlo      | Mr. Wagner                    |
| Mr. Lyons      | Mr. Woods<br>(Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

As you all know, this is the day that we have the Mayor's Budget Address. At this time, I'd like to ask Councilman Otis Lyons and Councilman Eugene DePasquale to please escort the Mayor into City Council Chambers.

#### Mayor Masloff:

Members of Council, Citizens of Pittsburgh, and my dear friend Jeanne Caliguiri, over the past few weeks my staff and I made several drafts of this budget message. We made long lists of accomplishments and talked about the many things we plan to do next year. We came up with several good drafts, but they looked and read like all of the other State of the City addresses that I've ever heard. They just weren't me.

I would rather talk to you today from my heart.

In the nearly seven months that I have been Mayor, I have spent a lot of time visiting the neighborhoods; meeting old friends and talking with people — just plain people — about our City. They told me what they want to see Pittsburgh do in the future and what's important to them now.

Our residents have very strong opinions — they want action and they want it now.

I've listened to the residents of this City and I share their common sense approach to problem solving. If there are problems — let's deal with them.

This City has a history of facing problems head on and solving them. We reformed our pension system before Pennsylvania instituted state-wide reform. We were ready when the federal government eliminated revenue sharing.

When major league baseball was packing its bags on our Northshore, Pittsburgh stepped up to the plate to support a brand new public/private partnership that protected the franchise along with its financial benefits for the City. We knew what had to be done and we did it.

It is in that same spirit that I present my goals for City government over the next year. They include:

First, our people want jobs. Throughout the neighborhoods I've heard the same thing again and again. People told me they want a jobs program — a real jobs program for people who live in Pittsburgh.

Southsiders complain to me that their children are leaving Pittsburgh, not by choice, but because they cannot find work. This City cannot remain strong if our residents don't have a chance to earn a decent living.

Last year we began a pilot program with the North Side Conference to provide job training and real job creation by using our Community Development Block Grant money. By joining with our neighborhood leaders, we were able to find real jobs in our neighborhoods for Pittsburghers. Our program on the North Side created ninety jobs by subsidizing private sector salaries during a limited training period.

An important part of the program is our relationship with community groups. Community groups are the eyes and ears of the City — they know where the jobs are and who can best take advantage of those opportunities.

In 1989 we will make a million dollar investment in the program and it will be carried out into other neighborhoods. Together we will

generate over 300 jobs in the private sector for Pittsburghers.

This program will be geared not only toward the City's large employers, but to small businesses as well. There are special incentives built into the program to benefit minority and women business owners, too.

Another major issue I hear about in community after community is safety. The senior citizens in Garfield tell me they are afraid to leave their homes after dark. People in Shadyside worry that their car parked on the street last night will not be there in the morning. We have a safe City, but I want it to be safer.

The message from the people about drugs is also very clear. Mothers in the Hill District know that their young children are being exposed to the dangerous world of drugs. For every story I see in the newspaper or on television about drugs, I hear five or six more real life horror stories from our residents. I will not allow this problem to impact our neighborhoods or influence our children's lives — at least not without a fight.

Tackling these problems is my second goal for the City. I want to bring the authorized strength of the Police Force up to twelve hundred officers — I am adding 100 more police officers than we have right now.

I have directed the Personnel Department to plan for new Police classes in 1989 to keep those positions filled. Safety, security and increased drug enforcement are high priorities to me.

Director Cannon and Chief Pampera plan to use some of these officers as plainclothes detectives —



four narcotics detectives in each zone — to work on specific neighborhood drug problems and to help coordinate these neighborhood efforts with our City wide program. In addition, the Chief is considering greater use of beat cops.

I have asked the Director and the Chief to continue working with community leaders, religious leaders and public and parochial schools to address the drug problem through increased educational programs.

The third major issue I hear about is the City's wage tax. A young man in Brighton Heights considers moving to a nearby suburb so he will see more in his paycheck because of a lower wage tax. A young couple who was raised in Mount Washington decides not to move back to the neighborhood because of our high wage tax.

I wish I could report to you that the Legislature has resolved the issue of local tax reform to assist communities in setting up a fair local tax system. This is not the case.

Governor Casey and our State Legislators have worked hard on the tax reform issue; and those of us in local government have done our job and made our case well. I am going to Harrisburg tomorrow to keep this fight alive.

Several months ago, I called together my financial staff and told them that somehow, some way, we needed to lower the wage tax in Pittsburgh. I wouldn't do it as a cheap political trick. It had to be financially sound and had to be able to stick longer than just one year.

We have worked hard. We have met often. We have reviewed the numbers again and again. I am happy to report to you today that I am proposing a

reduction of one half of one percent in the City's wage tax.

This is the first such reduction in over a decade; and I am confident that the reduction will remain for years to come. This change means a 24 percent cut in the City's wage tax.

Our taxpayers deserve relief whenever it can be done in a responsible way. I've heard what the taxpayers are saying and if tax reform passes in Harrisburg, you will see more tax reductions.

Let me tell you how we are able to present this tax cut and why it works.

Part of our solution comes from increasing some revenues. I am proposing a small increase in the non-resident fees for the Zoo, Phipps Conservatory, the Aviary, and a few selected special purpose fees. We will also continue to pursue reimbursement for a portion of our expenses for special events like the Regatta.

Second, we will be receiving our first million dollar payment from the University of Pittsburgh's Presbyterian Hospital in 1989. This voluntary payment is an example of true civic responsibility and I am confident that our efforts to obtain similar commitments from other tax exempt institutions will be successful.

I believe that local institutions, like our people, should be willing to pay their fair share. I don't believe that this is an unreasonable request. We will hire 100 additional police officers in 1989 — but we cannot maintain this level unless the tax exempt institutions show their willingness to support City services.

Third, we have been receiving increased pension reform assistance from

the State. My staff has been meeting with State officials and the City's actuaries to determine the correct level of funding to keep our pensions actuarially sound and still benefit from the increased state aid.

Our 1989 plan goes even further. It not only optimizes our State funding options, it levels out our annual pension contributions. It protects our current pensioners and it responsibly addresses our unfunded liability.

Also, we have continued and will continue our cost control program. We are not afraid to spend money where it's necessary; but we will look hard at the money we spend to make sure every dollar brings results for the taxpayer.

I recognize that there are those who would suggest that tax changes should wait until the final results of the tax reform debate, that there is too great a risk involved. Others will suggest that my motives are political.

There are certain people in this City whose sole mission is to criticize hard work, who always see politics in any good government decision. I challenge those people to spend more time doing positive things for this City and less time criticizing those of us who have Pittsburgh's best interest at heart.

These are the major goals of my 1989 budget — jobs, safety and reducing taxes. There is plenty of work to be done. We are ready to do it now.

But — we cannot lose sight that the 1990's are approaching quickly. Pittsburgh cannot just live for today when we need to be in a more competitive position to meet the next century.

It is time for us to think about the

direction that we want Pittsburgh to head as we face the next decade. I have directed my staff and City Planning to formulate a program of six to ten meetings throughout the City over the next year.

These meetings will not be long range planning sessions — but real discussions about how we operate as a government; about allocating our resources; about setting our priorities; about current City services and where they should be in the 90's. I want to hear from Pittsburgh about where we want to be tomorrow.

I want to hear from the neighborhoods, minority groups and from labor leaders. I want to hear from the business, educational and medical communities. I want to hear from the news media. I want to hear from all voices — to help direct this City's future.

I will attend every meeting, as will my directors. We will take all ideas offered and formulate a "Planning Pittsburgh into the 90's" blueprint — a real working guide to direct City government through the next ten years.

The time for action is now. "Finding a way" is a Pittsburgh tradition that I intend to carry on.

Finally, if you will allow me, a personal moment simply to say thanks to the people of Pittsburgh for their support and warm good wishes during the transition that occurred this year. It is a high honor to serve as the 54th Mayor of the City, although I wish the honor had not come to me in the sad way in which it did.

But whatever the responsibilities and challenges that face me as a Mayor, I always know that the people of Pittsburgh make it not only worthwhile

and rewarding, but a real pleasure to serve.

I thank you all very much.

**The Chair:**

I'd now like a motion to take a five minute recess and those of you who want to leave may do so.

**Mr. Wagner:**

So moved.

And on the motion of **Mr. Wagner**

Council recessed.

Pittsburgh, PA  
November 14, 1988

And the time of recess having expired, Council reconvened.

**The Chair:**

The recessed meeting will now come to order. We have two resolutions.

#### PRESENTATIONS

**Mr. Coyne presents**

No. 1653 WHEREAS, over the past 25 years Mr. William Hawthorne has volunteered his time to work with the unemployed and those in prison touching thousands of lives in the City of Pittsburgh and the Greater Pittsburgh area; and

WHEREAS, as part of the Pittsburgh Experiment, Bill has been the moving force in the Employment Anonymous ministry to the unemployed and numerous prison ministries; and

WHEREAS, since his retirement from U.S. Steel in 1963, Bill has conducted weekly meetings to assist the unemployed, providing support and resources necessary to help those in the midst of employment crisis or the despair of unemployment; and

WHEREAS, Bill has also applied the same tireless efforts to those in prison, serving as a life line to men coping with the consequences of their actions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the work of Mr. William Hawthorne, an endless giver who shares his life in its fullest with everyone in need; and

BE IT FURTHER RESOLVED, that this Council does hereby commend Mr. William Hawthorne for his twenty five years of volunteer service in the City of Pittsburgh.

**Mr. Coyne** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President and members of Council, it's a pleasure and an honor to present this resolution. I'd like to ask Al Julius from KDKA TV to please step forward to receive it. And I believe Mr. Bob Anderson from Rainbow Kitchen is with us and Grace King and Joni Rabinowitz. Nice to see all of you here today.

**Mr. Wagner presents**

No. 1654 WHEREAS, since 1982, KDKA-TV has conducted an annual charitable campaign known as Julius's

Turkeys in which they provide free Thanksgiving turkeys for needy and unemployed families; and

WHEREAS, this whole charitable effort began when an anonymous viewer sent Al Julius \$10.00 and asked him to buy a Thanksgiving turkey for a family in need; and

WHEREAS, the generous public support of this charitable effort has generated steadily increasing contributions to purchase more and more turkeys, beginning in 1982 with \$90,000 for 9,000 turkeys to last year's over \$528,000 for 52,800 turkeys; and

WHEREAS, most contributions come from individuals who know that their money goes directly to needy families without any draining of funds for operating expenses because of the assistance of the Greater Pittsburgh Community Food Bank in establishing a distribution network and \$10.00 turkey certificates redeemable at area grocery stores.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend KDKA-TV's tremendous charitable effort in raising more than \$1.9 million dollars to provide over 192,000 Thanksgiving turkeys over the past six years to needy families in the Pittsburgh area; and

BE IT FURTHER RESOLVED, that we urge everyone in the Pittsburgh metropolitan area to contribute generously to Julius' Turkeys so that Thanksgiving can be a blessed celebration of plenty for every local household in 1988.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd like to introduce Mr. Al Julius who needs no introduction, but obviously, the goal this year is to raise more monies than in previous years, obviously to buy more turkeys for more needy families. I'm sure Al can explain it much better than I; Mr. Al Julius.

Mr. Julius:

Thank you. Far be it for me to contradict a Councilman, but there is no goal. I never set a goal. My only goal was just to put one turkey on one table and that's it. I never try to top anything; I never try to beat last year's record. This is not a telethon; this is not one of those big fundraisers. I don't do that. As much as we raise, that's how much we give out. Every dollar that is brought in, there's a dollar going out.

I will tell you one thing, though. I hope somewhere in that big budget of yours that you received today, there is a place in there for money for hunger and for those who are hungry because this year it has been extremely difficult and it is probably the hardest year I've ever come across to raise money, and this is the seventh year I've been doing this. It's very hard. One of the biggest reasons is that we have gone through a political campaign and we've had a presidential candidate who will now be our next President, who has been telling everybody how it is so wonderful and it is so magnificent out there and how there is so little unemployment, that really we don't have to worry that much about those people who are out of work and, more than that, we don't have to worry about those people who are living on that borderline and are falling through the

trap.

So, I want to tell you, I really hope that somewhere in there you can find money for the programs that are being done by these people here. They are the ones who are one the front line. Me, I just talk about it and I try to bring them money and get the money out. But they're the ones on the front line and they understand hunger much better even than I do; they deal with it every day. And I hope that you people here will listen to them and find it in your hearts and in your budget to fund these people.

Thank you.

**Mr. Wagner:**

I'd like to introduce Mr. Bob Anderson from Rainbow Kitchen to say a few words, please.

**Mr. Anderson:**

Thank you Councilmembers. I just want to sort of follow on what Al Julius has said and just amplify that a little bit. A lot of people think that the hunger has gone away suddenly with the election but I just want to give you an experience that we've had being on the front line. We are serving more food now than we ever have before. Normally our high of a noontime meal was about 100, maybe 150 at the most. But lately we've been topping almost 200 people a day for lunch at the Rainbow Kitchen and we're doing that now seven days a week because there was such a need. We added two more days and we're even thinking about an evening meal because people are coming to us and asking for food. You say, where are these people coming from? I think what's happening is that there's a gap taking place; the rich are getting richer and the poor are getting poorer kind of thing. And in certain areas and parts of the City, there

are pockets of places where it is definitely not getting better and, in fact, it's going to continue to go down and get worse. And we're seeing these people.

Today at lunch, for example, there were three families, mothers with children eating at the soup kitchen among a lot of other people. This is just not normally done on a school day during the week. These are families in transition that are being forced out of their homes, they're looking for cheaper places to live.

And what you can do here in City Council is help us. We really appreciate what Al Julius has done. He has done more for us over there in the holiday season than people can ever thank him for. But this is just a chance that we can publicly thank him and you and hope we can do more. Hopefully we can close down our soup kitchens and food banks one day and this will not be necessary. That's what I'd like to see.

Thank you.

**Michelle Madoff:**

I would like to challenge my colleagues. I think last year I have you \$100; I'll give it to you again. Will anybody match me? Will you match me, Mr. Wagner?

**Mr. Wagner:**

I give every year.

**Michelle Madoff:**

Good. Will anybody else match me?

**The Chair:**

Thank you very much for coming.

**Mr. Coyne presented**

No. 1641 Resolution amending Resolution No. 1058, effective December 22, 1987, entitled: "Providing for a Contract or Contracts, for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase I, including work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Port Authority of Allegheny County; and providing for the payment of the costs thereof," by amending the title to include Phase II of this project, and by increasing the total project allocation by \$4,507,700.00 from \$5,000,000.00 to \$9,507,700.00, chargeable to and payable from the following Code Accounts: EC 85-05-\$3,215,000.00, EC 86-03-\$2,644,300.00, EC 88-02-\$3,648,400.00. This amendment will provide sufficient funds to advertise and award a contract for Phase II of Arlington Avenue, from McArdle Roadway to Roanoke Street.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1642 Communication from Director Cannon, Department of Public Safety, requesting authorization for Robert Kennedy to attend a program entitled "SWAT Teams" in Roanoke, Virginia from November 9-11, 1988, at no cost to the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1643 Resolution transferring the sum of \$232,111.00 from the Community Communications Trust Fund, Code Account CC to the General Fund

City of Pittsburgh for reimbursement of the indirect costs incurred by the Bureau of Cable Communications for 1988.

Which was read and referred to the Committee on Finance.

**Mr. Lyons presented**

No. 1644 Communication from Director Lurcott, Department of City Planning, requesting authorization for Paul Farmer, Ed Wells, Joe Imbimbo, David Walker and himself to travel to Houston, Texas and Redlands, California to test and evaluate computer-based geographic information systems from October 19-23, 1988, at no cost to the City of Pittsburgh. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Pollock presented**

No. 1645 An Ordinance amending the Pittsburgh Code, Title One-Administrative, Article IX-Boards, Commissions and Authorities, by adding Chapter 173, Private Sector Commission on Cost Control. —(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Mayor for report and recommendation.

**Mr. Pollock:**

I move that in accordance with the Home Rule Charter that that bill be referred to the Mayor. She's required to make a report within 30 days. So, in order to save time, I make that motion now.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 1646 Resolution further amending Resolution No. 80, effective February 29, 1988, entitled: "That the Director of the Department of General Services be and is hereby authorized to enter into an Agreement or Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1988 until December 31, 1988, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof," by increasing the project allocation by \$17,500.00 from \$17,500.00 to \$35,000.00, chargeable to and payable from Code Account 1134, Miscellaneous Services, Department of General Services.

Also,

No. 1647 Resolution providing for an Agreement of Lease with Calvary Communications, Inc. William A. Yocum, President, of a radio tower and equipment building serving same, in order to enhance radio coverage for the City's Radio System, and for the maintenance of one or more transmitters and receivers and related trade fixtures, machinery and equipment, at an annual Lease payment of \$8,100.00 in monthly payments of \$675.00 for the first year of said Lease, with a provision for a term of three successive years, at an approximate increase of five (5%) percent, ending on December 31, 1991, with the City having the right to extend said Lease for three successive years, or to terminate said Lease at end of any fiscal year as provided in the Lease Agreement, payable from Code Account 1132-5, Radio Improvements, Department of General Services.

Which were read and referred to the Committee on General Services.

#### **Mr. Wagner presented**

No. 1648 Resolution transferring the sum of \$57,000.00 from Code Account 1043, Index Code 104307, Miscellaneous Services, Department of the Mayor, City Information Systems, to Code Account 1042, Index Code 104208, Salaries, Department of the Mayor, City Information Systems. The reason for this request is insufficient funds to meet our payroll through the end of this year.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1649 Resolution providing for an Agreement with Columbia Gas Company, a Pennsylvania Corporation with principal offices at 220 Washington Road, Pittsburgh, PA 15216, which grants an easement and right-of-way to construct and install ten inch or smaller pipeline and appurtenant equipment and further to operate, maintain, repair, renew or replace said line across City owned property in the 27th Ward, Verner Avenue, Block & Lot 75-B-147. Columbia Gas Company will attempt to purchase this lot at a later date.

Also,

No. 1650 Communication from Mayor Masloff, requesting permission for Jeffrey T. Leber to attend the Urban Consortium's Annual Meeting on

December 2-5, 1988 in Boston, Massachusetts at a cost not to exceed \$1,430.00, payable from Code Account 1017, Miscellaneous Services.

Which were read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1651

Report of the Committee on Finance for November 9, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1559

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$625.00 in payment of modifications to the security system at the Highland Park Maintenance Shop; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1572

A Resolution entitled, "Resolution transferring the sum of \$6,712.00 (Six Thousand Seven Hundred Twelve Dollars) from Code Account 1102, Index Code 110201, Salaries and Wages, Regular and Temporary Employees, to Code Account 1104, Index Code 110403, Supplies."

Which was read.

Also,

Bill No. 1575

A Resolution entitled, "Resolution amending Resolution No. 763, Item N, approved September 25, 1987, which authorized the sale of property in the 31st Ward, being a 2 Story, Frame house, located at 715 Ganges Way, designated as Block 135-M, Lot 101, to Carl R. Evans, Jr., for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 1576

A Resolution entitled, "Resolution Repealing Resolution No. 374, Item D, approved May 6, 1987, which authorized



the sale of property in the 12th Ward, being a 2-1/2 Story, Frame house, located at 243 Carver Street, designated as Block 125-B, Lot 137, to Betty J. Holmes, for the sum of \$1,500.00."

Which was read.

Also,

Bill No. 1577

A Resolution entitled, "Resolution Repealing Resolution No. 445, Item E, approved June 4, 1987, which authorized the sale of property in the 13th Ward, being a vacant lot, located at 7610 Susquehanna Street, designated as Block 175-B, Lot 276, to Thenia L. Croom for the sum of \$500.00."

Which was read.

Also,

Bill No. 1578

A Resolution entitled, "Resolution whereas, City Council has heretofore enacted Resolution No. 181, Item E, approved March 25, 1988, authorizing the sale of property in the 13th Ward, located on Wheeler Street, designated as Block 174-H, Lots 47, 274, 276, to Kevin Vernon Mitchell, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 1579

A Resolution entitled, "Resolution Repealing Resolution No. 786, Item H, approved October 10, 1988, which authorized the sale of property in the 25th Ward, being a vacant lot, located at 111 Fountain Street, designated as Block 23-H, Lot 309, to Jean Stawecki, for the

sum of \$400.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

Bill No. 1652

Report of the Committee on Engineering and Construction for November 9, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1560

A Resolution entitled, "Resolution amending Resolution No. 244, effective April 20, 1983, entitled: 'Providing for an Agreement or Agreements for architectural/engineering services and a

contract or contracts, including the use of existing contracts for construction in connection with alterations at Special Populations Programs Centers to accommodate the physically handicapped; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$1,333.91 from \$71,000.00 to \$69,666.09."

Which was read.

Also,

Bill No. 1561

A Resolution entitled, "Resolution amending Resolution No. 122, effective March 2, 1983, entitled: 'Providing for an Agreement or Agreements for architectural/engineering services for design in connection with the construction of improvements for handicapped accessibility at the Downtown Public Safety Building; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$5,447.50 from \$10,000.00 to \$4,552.50."

Which was read.

Also,

Bill No. 1562

A Resolution entitled, "Resolution amending Resolution No. 800, effective September 22, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the Renovations of No. 11 E.M.S./No. 1 Rescue Headquarters; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$68,246.03 from \$110,000.00 to \$178,246.03."

Which was read.

Also,

Bill No. 1563

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of No. 15 Fire Station located at Lemington and Missouri Streets; and providing for the payment thereof."

Which was read.

**Mr. Ferlo:**

Mr. Chairman, very briefly on Bill No. 1563, the \$200,000 appropriation regarding the rehab of the No. 15 Fire Station, I would like my comments brought forward from the meeting regarding the fact that it has been many months now since the Administration has not come forward with specific legislation for the repairs and renovation of Troy Hill Fire Station.

**The Chair:**

Since last Wednesday at the Committee Meeting I addressed that and I said that we were talking with the Mayor and Glenn Cannon and a few other people and that definitely is going to be fixed. I met with and discussed it with the Mayor on Thursday. The Troy Hill Fire House is definitely going to be renovated.

**Mr. Ferlo:**

Thank you.

**(MR. FERLO'S COMMENTS ON BILL NO. 1563 - WEDNESDAY, 11/9/88)**

**Mr. Ferlo:**

Mr. Chairman, while it's not specifically on the subject, I think it is

because the Administration is coming to this table with a specific dollar figure for a specific renovation.

It's been the expressed will of this Council that the Troy Hill Fire Station be remodeled, and I believe the money has been appropriated in the Capital Budget. While it's a little bit off the subject, I do think it's relevant insofar as we are approving some other use of funds in another set of priorities, and I would ask for a response from the Administration or Mr. Woods regarding his interaction with the Mayor on this issue.

**The Chair:**

Mr. Ferlo, I think it's a valid point you are bringing up. It's just being brought up at the wrong time. This piece of legislation does not pertain to that firehouse, so therefore, discussion --

**Mr. Ferlo:**

I agree with you. You being a strict constructionist, I think when the Administration comes to the table and says -- it's a question of priorities and a question of us having the right to discuss generally the topic of repairs to fire stations.

And while the bill before us is not a bill pro or con on the actual remodeling of Troy Hill, the fact that they are now before us with an appropriation for another area, I think it is a subject matter that does pertain to the issue.

**Mr. Woods:**

I have had numerous meetings with the Administration over the past couple of weeks, and I feel pretty confident that they are going to renovate the Troy Hill Firehouse. In fact, I am expecting something any day now. In fact, the last

time I spoke to the Administration happened to be Monday, and I'm sure they are going to do it.

**(END OF REMARKS)**

Also,

Bill No. 1564

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of Public Safety Facilities at Various Locations, including but not limited to #38 Fire Station Truck Bay Floor and Apron Repairs, #22 Fire Station Window Alterations and #6 Fire Station Improvements to Bunk Room; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1565

A Resolution entitled, "Resolution Repealing Resolution No. 551, effective July 15, 1983, entitled: 'Providing for a Contract or Contracts, including the use of existing Contracts for construction in connection with Handicapped improvements and accessibility at the Public Safety Building; and providing for the payment of the cost thereof.'"

Which was read.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President and members of Council, I don't think anybody in this room doubts the fact that I'm outspoken, I say what I believe, and I fight for what I believe in. I was as surprised today as anyone was to hear the Mayor's Budget and to hear how fine it was. Everything that this Council has been fighting for I believe was incorporated in that budget, from the jobs program that this Council voted for, the pilot project that was initiated on the North Shore which is going to be expanded throughout the City, to my suggestion repeatedly that we have an increase in a fee for service for the Zoo, Aviary and Conservatory for non-City residents, to lowering the wage tax which we've all been fighting for. I had proposed a number of times an eighth of a percent or a quarter of a percent, and the Mayor has proposed a half percent. And also, if we get tax reform, we will be looking at lowering the mercantile business privilege and amusement tax. All of us have been concerned about police; 100 new police officers. We've been concerned about the narcotics problem; 100 of those police officers will basically be assigned to the drug problems which are really the basis of most crimes.

And when I sat in the office and heard the briefing and said, "I have to support that package", it naturally followed that, of course, if I'm going to support it, you don't say, "I'm going to run on the same issues". And the fact that I'm not going to run is not the prime interest of this Council.

But I would like to ask my colleagues to really think about what was proposed today when we get into the budget hearings and to be supportive of what was proposed and not to in any way try to undermine what is good for the City because that is the honorable thing to do. Thank you.

**Mr. Ferlo:**

Mr. Chairman, in response to the Mayor's budget message, very briefly, and somewhat to Michelle's comments, I want to reiterate it is the point of this legislative body to provide checks and balances. And it's very important that in the next month and a half we scrutinize and we nitpick if we have to on each and every point in that budget.

Overall, I would have to admit, quite frankly, a very warm feeling today. I'm very proud of Mayor Masloff and her budget message. I feel that not only some of the points that I have been harping on but collectively we on this Council have raised a number of issues this year in the brief time that I've been on Council on the wage tax, on the issue of recognizing that there are some basic problems in the Public Safety Department, and I think the Mayor really distinguished herself today in the budget message by not only addressing significantly to some extent the wage tax issue, but also dealing to some extent with the recognition of problems in Public Safety, specifically in the area of beat patrol and the problems with narcotic and plain clothes officers.

I think overall we should applaud the Mayor for her budget message today. I think she really has distinguished herself independently in that role above and beyond anything that she inherited for whatever reason unforeseen and as sad as it was.

So, I would say overall that I applaud the Mayor and her leadership today in talking about some of the issues. There are small criticisms and concerns that I have but I think it would be better to express those during the budget proceedings that we will engage in. I was hoping to hear a little bit about some commitment in the human service area for hunger and some of the other issues, but I think the Mayor is open to constructive criticisms that we on Council will address in the next month and a half. But I just want to say that I'm very proud of the Mayor; I think she did a hell of a job today.

**Mr. Lyons:**

Mr. Chairman and Council, I think the Mayor in her budget reflects of going to the needs of the people of this City and to see that the City grows. When you can cut tax and increase employment, I think that's one whale of a budget. And certainly it's the needs of the people and let's hope that the City will grow in population.

**Mr. Pollock:**

I want to join my colleagues in also applauding the Mayor on the budget. Without question, she deserves a great deal of applause from us and as much support as we can give her.

Also, I've always been one to feel that members of the Administration should not toil in anonymity. So, without question, the credit goes to the Mayor, but I would like to publicly commend the

Finance Director, Jim Turner and the Budget Director, Carolyn Marks who played very, very key roles in this budget. Too often staff members' work goes unrecognized and I think that they deserve a great debt of gratitude from the people of Pittsburgh and especially this City Council.

I don't know how we're able to keep them in Pittsburgh. I think Jim Turner should be down in Washington working on the federal budget deficit. The budget he proposed to us is just plain brilliant; to be able to propose a wage tax cut without laying off any people or cutting services is something that one would have thought would have required smoke and mirrors. But he did it in a very fiscally sound, rational, and non-risk manner. So, I applaud and I applaud Carolyn Marks and I applaud all the directors in the Administration for coming up with this budget. I look forward to going through each department budget with them and I just can't thank them enough.

**Mr. DePasquale:**

I want to reiterate the words of Mark Pollock. The budget, I might say, the address, was like a dream come true; cutting the wage tax one-half percent, adding 100 police, and also providing 300 jobs to the private sector for the people of the City of Pittsburgh.

I might add that a couple of weeks ago I had a bit of a knock down, drag out fight with the Mayor in regards to adding police. At that time, she said the budget just couldn't stand it. She said it couldn't stand a tax cut and it couldn't stand adding police. I want to thank Jack Wagner, the former Public Safety Chairman and Patrick McNamara. I think their campaign to add more police finally paid off. I'd like to thank Sophie and her people who found a way to do it

and add those police. Obviously she wanted police protection for the City of Pittsburgh as much or more than we do. At the same time, she just couldn't find her way clear. A couple weeks later she has done that and whoever made that possible, as Mark said a while ago, may belong somewhere else and not in Pittsburgh. But we'd hate to lose people like that so I hope they stay.

**Mr. Wagner:**

Mr. President and members of Council, as Finance Chairman in my initial review I also commend the Mayor and her staff for what they've done so far with the budget that they're proposing to City Council. Not only that, but the professional way in which it was presented today. I think everyone was very impressed with that.

However, we all know, and Councilman Ferlo indicated it, that it's now City Council's budget. The budget that is passed in the City of Pittsburgh is a budget consisting of the Administration's suggested budget, the taxpayers' suggestions, and ultimately, this City Council's suggestions. It's now our job to scrutinize this budget and the concerns that will be brought forth to us at the various hearings that begin tomorrow. I'm very interested in sitting down with our budget staff and listening to what they propose. But a suggestion of decreasing the wage tax, no one can disagree with. It is obviously the number one problem in the City of Pittsburgh. I commend the Mayor for that suggestion and finding a way to do that.

I would also like to state, though, that this suggested proposal of a reduction in the earned income tax or the wage tax would put the City of Pittsburgh actually below the earned income tax or the wage tax of the School Board. And we do have a combined wage

tax in the City of Pittsburgh and I would hope that between now and end of budget time for the City that we will, yes, vote for a wage tax reduction as proposed today, but also that the City School Board will find a way to reduce their portion of the wage tax and jointly we can have a significant reduction below the 3.5 percent, possibly to 3 percent and even further if tax reform occurs. Thank you.

**Michelle Madoff:**

I really hadn't thought we were going to go into such depth but I left out a couple of very important things. I would like to take up from where Mr. Ferlo's position was. Yes, we may support and applaud the Mayor. And I ask that we all be creative in being supportive and not being protagonists. But it is true that we are the watchdogs, in essence, and we have to be sure that we look at all the fine points.

And I think the point that was made here today by Al Julius and the people who represent the hunger, that has got to be a priority and I think this Council has really led the way in that budget. I feel part of that budget because my ideas were incorporated. Jack's ideas were incorporated. Other people's ideas were incorporated.

The one thing that we did not talk about is the workers' comp. If that workers' comp is improved, we have surveillance and this is something I've been working with Mr. Turner on for over a year, and I started with Mr. Schmeiser and I've worked with Mr. Scortino, and if we can get annuities, commutations, and get the supposedly 25 percent people who are on workers' comp, they could come back to useful employment in the City, we might even be able to cut our wage tax another quarter percent.

I just want to congratulate not only the Administration but my colleagues because, frankly, it was our ideas, our votes, for example, on the North Side to have that pilot program to see that people were hired in their own community. We were the initiators, we were the ones that made this happen, we allowed it to happen. But I applaud the Mayor for not saying, "I'm not going to pick it up because it was somebody else's". She listened to us and she picked it up. And I think that maybe that is the beginning of a new era that's good for this City and for everybody.

**Mr. Pollock:**

I mentioned before about recognizing people and I forgot a very important person and I would be remiss if I didn't also congratulate and thank him and that is the City Treasurer, Henry Scortino. I know he had a profound impact on this budget too, especially in terms of the pension fund. So, I congratulate him and thank him as well.

**The Chair:**

I just would like to add one thing, and Mr. Wagner touched on it. And I don't want to discuss the budget because we'll be starting that tomorrow at 10:00. But he's right on target with the School Board. Their budget is \$291 million, the same as the City. It's a disgrace, and if we can find a way to cut our's by one-half percent, I'm sure they can. And perhaps something to look at in the future, we ought to start electing School Board members with pay and then maybe they'll look at that budget a little closer than they are now because they'll want to really fight for that job.

I'll add one more thing, not taking any thunder away from the Mayor. We're only adding 100 policemen over what is presently on duty. That means only 66

more in the budget. So don't everyone go out there and think that it's 100 more than what's on duty.

**Michelle Madoff:**

Excuse me, Mr. Chairman, on your comment. Fifty-five percent of the time our police officers are off duty. That's why the 100 police were put on. And I don't think we ought to forget that. I think you're on the button.

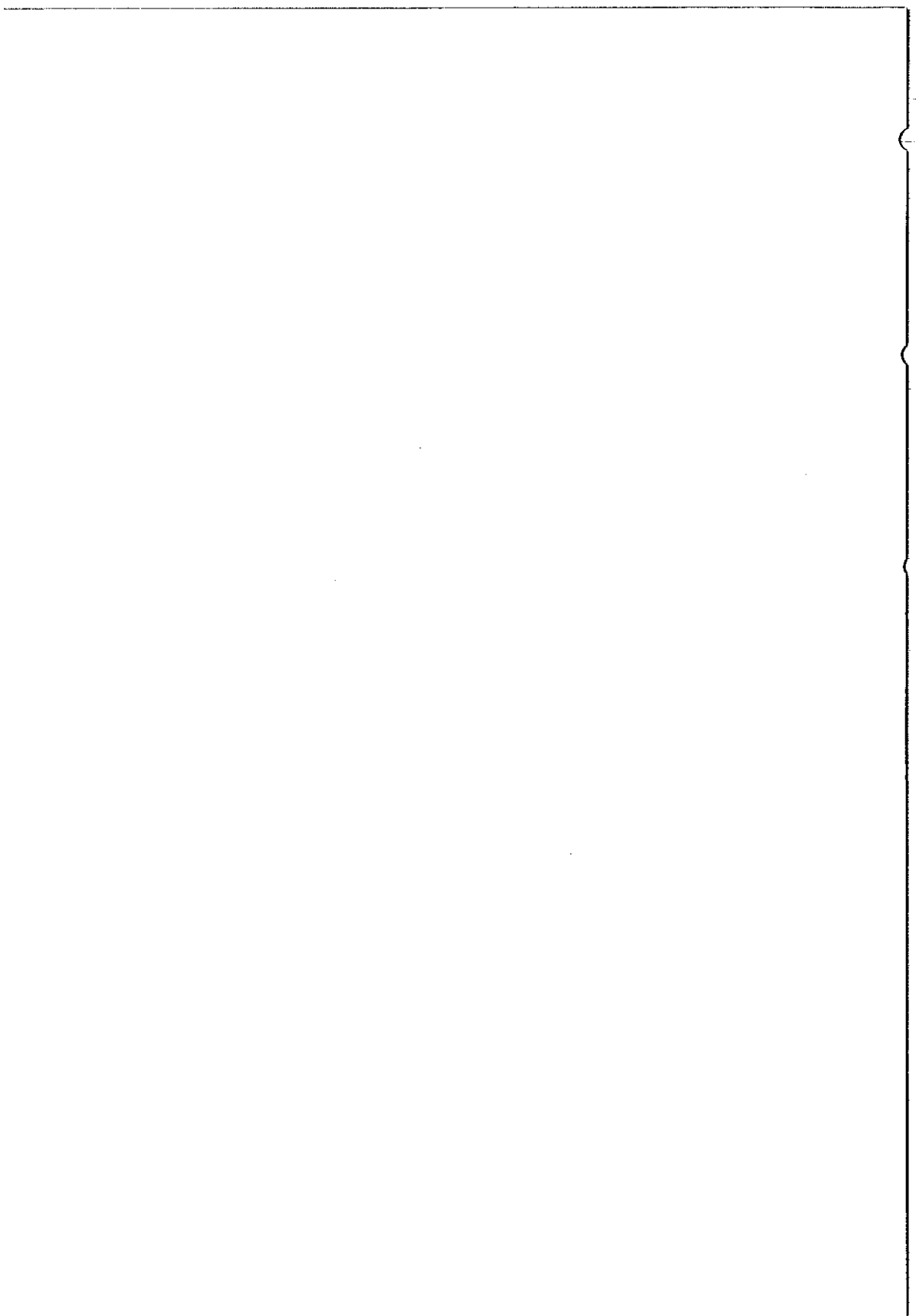
**Mr. DePasquale** moved to approve the Minutes of Monday, October 24, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, November 21, 1988

No. 45

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, November 21, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff. |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Coyne presents

No. 1700 WHEREAS, on Friday, November 18, 1988, the Greenfield Organization will hold its 3rd Annual Awards Dinner; and

WHEREAS, the Greenfield Organization was founded in 1968 by a group of concerned citizens for the betterment of the Greenfield community; and

WHEREAS, the Greenfield Organization still serves as a vehicle for the recreational, educational and community development projects in the neighborhood; and

WHEREAS, each year the organizations within the Greenfield community select and honor individuals who have distinguished themselves by serving their community; and

WHEREAS, this year the Greenfield Organization will honor Manny Sagone and Dorothy Hood for their services to AARP; Jack Lentz for his services to the Boy Scouts of America; Terry McGuire for his service to the Greenfield Football Association; Angelo Sicuro for his service to the Greenfield Senior Center; Luann Beres for her service to the Greenfield Soccer Association; John Nee for his service for the 15th Ward Public Safety Committee; Stan Claczak for his service to Greenfield Baseball Association; Mary Ann Tomanio for her service to the Junior Girl Scouts of America; Tom Palmieri for his service to the St. Rosalia Athletic Association; Jan Jones and Gene Kinkaid for their dedication to community service; Virginia Walsh for her service to Education; Marty Coyne and Joe Deiuliis for their service to Sports; and Bob Jones for his service to Special Recreation; and

WHEREAS, special recognition is also given to two youths from the neighborhood who have participated in youth recreational activities, Mark Bonenberger and Kristi Russo.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the honorees for this recognition of distinguished services along with the Greenfield Organization for its commitment to the future of the neighborhood.

Mr. Coyne moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Coyne presents

No. 1701. WHEREAS, Anthony ("Tony") DePaolo has been involved in a vast number of organizations that serve the Greenfield community; and

WHEREAS, Tony DePaolo has served Saint Rosalia Church as a member of the Parish Council, as Chairman of the Apostolate Committee, as an usher, as a Eucharistic Minister, as a member of the Bingo Committee, and has worked with the Saint Rosalia's Festival; and

WHEREAS, Tony DePaolo has served AARP Chapter 2611 as Program Director, as Treasurer of the Bowling League, and as a member of the Executive Board; and

WHEREAS, Tony DePaolo has served the Greenfield Senior Citizen Center by doing everything from helping in the kitchen to working on special events to serving as a Board Member on the Center's Advisory Council, and as Treasurer of the Center for the past

year; and

WHEREAS, Tony DePaolo has been involved with the St. Rosalia P.T.G., the Boy Scouts, and is a former member of the Greenfield Organization Board of Directors; and

WHEREAS, on Friday, November 18, 1988, at the Greenfield Organization's Third Annual Awards Dinner, Anthony ("Tony") DePaolo, was honored as "Greenfield Person of the Year" because of his energy and valuable contributions to a variety of community organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Anthony ("Tony") DePaolo, Greenfield's Person of the Year, for his contributions and commitment to the Greenfield community.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

Tony also has a plaque here that he was awarded by the Greenfield community.

Mr. DePaolo:

I want to thank everybody in the Greenfield community for this award; it was really a surprise. I appreciate all of my good friends and neighbors that thought of me and awarded me this award. Greenfield is quite a place to live and if any of you people have ever been around Greenfield and know where it's at, you know that it is really a nice place. It's well-centered and everything

about it is good. We have some good people there and we try to keep it good.

I want to thank my wife for putting up with me while I was doing all these endeavors, and my children who didn't give me any trouble, so I was able to do these things. I thank everybody, and God bless you all.

**Michelle Madoff:**

Behind every great man there's a great woman.

**Mr. Coyne presents**

No. 1702 WHEREAS, November 22, 1988 will mark the 25th year since the passing of President John Fitzgerald Kennedy; and

WHEREAS, the life and words of President Kennedy will always serve as an inspiration to all Americans; and

WHEREAS, The Knights of Equity, Court 9, will pay homage to and mark the passing of this great American of Irish heritage, at a special Mass to be celebrated on Tuesday, November 22, 1988 at 8:00 P.M., at St. Mary of Mercy Church on Stanwix.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in recognition of the 25th anniversary of the passing of President John Fitzgerald Kennedy, does hereby declare November 22, 1988 as John F. Kennedy Memorial Day in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that this Council recognizes and commends The Knights of Equity, Court 9, for their work in initiating and promoting a memorial for this great Irish American.

**Mr. Coyne** moved to adopt the resolution.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Coyne:**

I have with me Mr. Bernie Cusick who is the worthy Supreme Sir Knight of the Knights of Equity.

**Mr. Cusick:**

I'd like to accept this on behalf of the Knights of Equity and I'd like to thank City Council for designating the 22nd of November as John F. Kennedy Memorial Day. I'd also like to thank Councilman Coyne for introducing this resolution.

I'd also like to extend an invitation to the citizens of Pittsburgh to join us at our Memorial Mass, the Knights of Equity Memorial Mass, tomorrow night at 8:00 at St. Mary's Church in Downtown Pittsburgh. Thank you.

**Mr. DePasquale presents**

No. 1703 WHEREAS, on November 13, 1988, the friends, family members and associates of Mr. Bernard Burns held a retirement party on Pittsburgh's famous Majestic riverboat in honor of his retirement; and

WHEREAS, over 700 people attended the retirement party, some coming from as far as Washington, Boston and New Orleans to honor a great man; and

WHEREAS, Bernie Burns has given over 26 years of dedicated service to the City of Pittsburgh Fire Bureau, and has been a Union Officer for the Pittsburgh Firefighters Local #1 for over 23 years;

and

WHEREAS, Bernie Burns presently holds the prestigious position of President of the Pittsburgh Firefighters Local #1, and has served in this capacity since 1980; and

WHEREAS, over the many years of dedicated service, Bernie Burns has received numerous awards such as Man-of-the-Year in 1982 which was presented to him by the Jaycees, a fundraising group which recognizes men and women in various professional fields, and Bernie has also received an award from the Muscular Dystrophy Foundation and the Spina Bifida Foundation for humanitarian accomplishments; and

WHEREAS, Bernie Burns is married to the former Kitty Lou Bittner, who has given him support and encouragement over the many years of his untiring service, and together they have three sons, Patrick, Bernie and Michael; and

WHEREAS, along with their three sons, Bernie and Kitty have also raised a young man from their Lawrenceville neighborhood who lost his family in a fatal fire; and

WHEREAS, Bernie Burns is highly respected by the members of his organization, and through his contributions at work and in his personal life, serves as a role model to the people of this City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Bernie Burns on his well deserved retirement from the City of Pittsburgh Fire Bureau, and commends him for his many years of service to the Pittsburgh Firefighters Local #1; and

BE IT FURTHER RESOLVED, that

the Council of the City of Pittsburgh hereby extends best wishes to Bernie Burns and his entire family for health, happiness and success in their future endeavors.

Mr. DePasquale moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. DePasquale:

As I stated in the resolution, there was a retirement party aboard the Majestic a couple of weeks ago which was attended by 700 or 800 people. I know it was an overflowing crowd; I've never seen a crowd like that at a retirement party.

Bernie, however, was retiring as an active fireman, but not as President of the union. His union has insisted that he stay on for the next two years which is unprecedented because it's never before, I think, happened in any union. Once you retire, that's it; you're no longer a union official. But Bernie is going to remain on through the courtesy of its members and through their generosity.

The only thing else I can add is that he's been a great friend of Council down through the years and vice-versa. And on the boat that night, most of the members of Council were there to show their appreciation and to wish Bernie well in the many coming years he has left.

Bernie, it's been a pleasure to know you and a pleasure to be acquainted with you and a pleasure to be in your company anytime, anyplace. And I will say this: You are the number one fireman not in Pittsburgh, but in the United States of America.

**Mr. Burns:**

I just want to thank the members of Council for giving me this and also to say that I was a very lucky man. I was able to represent, in my opinion, the best firefighters in the world and the best men in the world. They always supported us and I want to thank Council for your support over the years. This should go to my people because I was fortunate enough to represent them. Thank you.

**Mr. DePasquale presented**

No. 1655 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713 Pawn Brokers, Chapter 715 Junk Dealers, Chapter 717 Antique or Second Hand Dealers, Chapter 719 Vendors and Peddlers, Chapter 721 Transient Merchants, Chapter 723 Trade Fairs, Chapter 763 Parking Lots, Chapter 765 Commercial Refuse, Chapter 771 Amusement Places and Producers, Chapter 773 Sunday Activities, Chapter 775 Carnivals and Street Fairs, Chapter 777 Mechanical Amusement Devices and Chapter 779 Public Dance Halls and Dances by raising certain fees.

Also,

No. 1656 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarms, Section 611.06 (a), Permits, by changing the alarm system permit fee and Section 611.07 (a), False Alarm Penalty, by changing the false alarm penalty fee.

Also,

No. 1657 An Ordinance amending Title Five - Traffic, Article VII - Parking, Chapters 541 - General Parking Regulations, Chapter 543 - Parking

Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods.

Also,

No. 1658 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Chapters 523 and 525 by setting fees for release of immobilized vehicles.

Also,

No. 1659 An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification.

Also,

No. 1660 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for the Center for Emergency Medicine to conduct a Comprehensive Incident and Stress Debriefing seminar at the Department of Public Safety Training Academy in Pittsburgh, PA, from February 11-12, 1988, at a cost not to exceed \$750.00, payable from Code Account PSTA. The purpose of this seminar is to institute a comprehensive incident and stress debriefing program for the City of Pittsburgh, Department of Public Safety.

Also,

No. 1661 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization to amend Council Bill No. 1449 to adjust the total expenses for John Bauer due to a misquoted rental car price, the total cost shall not exceed \$902.00, payable from Code Account PSTA. This request is necessary due to the fact that an

expense was quoted incorrectly by the rental car agency.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Wagner:**

Mr. President, could each Councilmember have a copy of the increased fees in their entirety? Thank you.

**Mr. Ferlo presented**

No. 1662 Resolution accepting the grading, paving, curbing and sewers on certain street on the Broadhead Manor Plan PA-1-6, also known as Drawing No. 8405-04 Pages 1 thru 38 in the 28th Ward of the City of Pittsburgh.

Also,

No. 1663 Resolution granting unto Esther Bordt and Thomas Rhall, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an off-street parking area over a portion of the unopened right of way of Oakdale Street in the 27th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

**Mr. Lyons presented**

No. 1664 Resolution providing for the authorization and transfer of \$59,530.37 to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs of employees in support of the City's Community Development Block Grant Program from the 1985 CDBG Program "Inspection Related to CDBG Program, Salaries (CDFD) Department of Fire (FD-85-02).

Also,

No. 1665 Resolution providing for the authorization and transfer of \$744,853.17 to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program.

Which were read and referred to the Committee on Finance.

Also,

No. 1666 Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the 3rd Year of the Mainstreet Redevelopment Program at a cost not to exceed \$16,250.00, chargeable to and payable from the MSP (Main Street Program) Trust Fund. The Commonwealth of Pa. and the Dept. of Community Affairs will reimburse the MSP Trust Fund in the amount not to exceed \$16,250.00.

Also,

No. 1667 Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 1668 Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties for \$100.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 1669 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties in the City of Pittsburgh (SIDEYARD).

Also,

No. 1670 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th Ward of the City of Pittsburgh, designated as Block and Lot 32-B-314 (803 Ormsby Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (SIDEYARD)

Also,

No. 1671 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 13th Ward of the City of Pittsburgh, designated as Block and Lot 231-E-87 (1075 Lawndale Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (SIDEYARD)

Also,

No. 1672 Resolution authorizing the Urban Redevelopment Authority of

Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 5th Ward of the City of Pittsburgh, designated as Block and Lot 10-F-94 (707 Chauncey Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (SIDEYARD)

Also,

No. 1673 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", Chapter 911 "Fee Schedule", Section 911.01 "Fees Established" by increasing the following fees:

- a. For a Conditional Use or Planned Unit Development Application, from \$80.00 to \$150.00.
- b. For a Modified Conditional Use or Planned Unit Development Application, from \$40.00 to \$75.00.
- c. For a Board of Adjustment Appeal, from \$30.00 to \$40.00.
- d. For a Temporary or Permanent Certificate of Occupancy when phased with a Building Permit, from \$6.00 to \$15.00; or when not phased with a Building Permit from \$10.00 to \$20.00.
- e. For A Zone Change Petition, from \$100.00 to \$150.00.
- f. For Preparation and Introduction of a zoning related Ordinance, from \$30.00 to \$50.00.
- g. For Recertification of a Group Living Facility, from \$25.00 to \$40.00.

These increases are directly related to the amount of staff time involved in processing the applications, and the escalated

cost of advertising for hearings  
and public meetings.

Which were severally read and referred  
to the Committee on Planning, Housing  
and Development.

**Michelle Madoff presented**

No. 1674 Resolution providing for  
a Contract or the use of existing  
Contracts for the purchase of leak  
detection equipment to be used in the  
Department of Water at a cost not to  
exceed \$18,500.00, chargeable to and  
payable from Code Account 1985  
(198507), Equipment, Distribution  
Division, Department of Water.

Which was read and referred to the  
Committee on Water.

**Michelle Madoff** moved to suspend Rule  
8 by providing for consideration of the  
bill only until or after the 9th calendar  
day following the meeting in which the  
bill was introduced so the bill will be on  
the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1675 Resolution providing for  
the issuance of a warrant in favor of R &  
W Forms, 5000 Baum Boulevard,  
Pittsburgh, PA 15213, in the amount of  
\$9,200.00 in payment for services  
furnished for the benefit of the City in  
connection with emergency purchase of  
customer water bills, chargeable to and  
payable from Code Account No. 1923  
(192302), Supplies, Administration  
Division, Department of Water.

Which was read and referred to the  
Committee on Finance.

**Mr. Wagner presented**

No. 1676 Resolution providing for  
the issuance of a \$1,608.00 warrant in  
favor of Browns Hill Bible Chapel in  
settlement of claim for sidewalk damage  
by City tree roots at 3349 Beechwood  
Boulevard, payable from Code Account  
No. 46, Judgments.

Also,

No. 1677 Resolution providing for  
the issuance of a \$1,176.00 warrant in  
favor of Marshall P. and Wallis Katz in  
settlement of claim for sidewalk damage  
by City tree roots at 4875 Ellsworth  
Avenue, payable from Code Account No.  
46, Judgments.

Also,

No. 1678 Resolution Repealing  
Item G of Resolution No. 759-G,  
approved October 3, 1988, which  
repealed Resolution No. 384-K, approved  
May 5, 1986, authorizing the sale of  
property in the 21st Ward, being a 2  
Story, Brick house, located at 1414  
Adams Street, designated as Block 22-F,  
Lot 105, to Linda J. Dalessandri, for the  
sum of \$3,000.00. The reason for the  
above Resolution is to re-instate the  
above sale, as the purchaser remitted the  
balance payment due while the forfeiture  
was in progress, but not completed.

Also,

No. 1679 Resolution Repealing  
Resolution No. 838, Item H, approved  
October 28, 1988, which authorized the  
sale of property in the 21st Ward, being a  
vacant lot, located at 1100 Bidwell  
Street, designated as Block 22-R, Lot  
181 to Paul Rosul, for the sum of  
\$350.00. The reason for the above  
repealing Resolution is that it was  
discovered through a survey that there is  
an encroachment on this property by



another property at 1018 W. North Avenue, and the City does not have a marketable title to the property, as submitted originally.

Also,

No. 1680 Resolution amending Resolution No. 25, Item H, approved February 2, 1988, which authorized the sale of property in the 25th Ward, being a vacant lot located at 1914 Rear Buena Vista Street, designated as Block 23-A, Lot 178 to Ernest Simon and George Bromall II, for the sum of \$500.00. The reason for the above Amendment is to add the names of 2 additional purchasers, James O. Lindner and Lee J. Corsello, to the sale.

Also,

No. 1681 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1682 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1989.

Also,

No. 1683 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1989.

Also,

No. 1684 Resolution adopting and approving the 1989 Capital Budget and

the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program.

Also,

No. 1685 Communication from Melanie J. Smith, Director, Department of Personnel, requesting authorization for Barbara King to attend the Pennsylvania Hall of Fame of Champions of Older Workers Council meeting in Harrisburg, PA, on December 8, 1988, at a cost not to exceed \$290.00, payable from the JTPA-1 Trust Fund. The purpose of the trip is to plan the annual awards banquet, finalize plans to solicit nominations for awards and to discuss issues relating to older workers in Pennsylvania. (PRIOR APPROVAL GRANTED)

Also,

No. 1686 Communication from Melanie J. Smith, Director, Department of Personnel, requesting authorization for Anne McCafferty and Alfred Cambric to attend the Joint Jobs Initiative Awards Ceremony, in Hershey, Pa., on November 30, 1988, at a cost not to exceed \$737.00, payable from the JTPA-1 Trust Fund. Mr. Cambric's expense for the trip will be reimbursed to the City of Pittsburgh by the Joint Jobs Initiative Task Force. (PRIOR APPROVAL GRANTED)

Also,

No. 1687 Communication from Melanie J. Smith, Director, Department of Personnel, requesting authorization for Walter Fortson, Maureen Carr and Roseann Nicol to attend the Pennsylvania Department of Labor and Industry, Governor's Joint Jobs Initiative Conference in Hershey, Pa., from December 1-2, 1988, at a cost not to

exceed \$1,120.67, payable from the JTPA-1 Trust Fund. The purpose of the training session is to address the training needs of welfare recipients in order to enable them to secure employment.  
**(PRIOR APPROVAL GRANTED)**

Which were severally read and referred to the Committee on Finance.

**The Chair presented**

No. 1688 Resolution transferring the aggregate sum of \$71,000.00 within various accounts in the Department of Parks and Recreation. This transfer is needed to make projected payroll expenditures for the remainder of the year.

Also,

No. 1689 Resolution transferring the amount of \$79,307.21 from Code Account SSFSP, Special Summer Food Service Program, to Code Account SPP, Special Park Programs, in the Department of Parks and Recreation. These funds represent the department's reimbursements and administration costs for the 1988 Summer Food Service Program.

Also,

No. 1690 Resolution authorizing the transfer of \$10,000.00 from Code Account 1853, Utilities, to Code Account 1851-1, Premium Pay, in the Department of Parks and Recreation, all within the Pittsburgh Zoo. The transfer of funds is necessitated by costs associated with training of Animal Keepers, the raise in pay rate for six employees to the position of Animal Keeper 2, and unexpected overtime expenses caused by delivery and installation of the renovated reef tank exhibit in the Aqua Zoo.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1691 Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1989.

Also,

No. 1692 Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at Phipps Conservatory, effective January 1, 1989.

Also,

No. 1693 Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at Pittsburgh Aviary, effective January 1, 1989.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 1694 Communication from Dante Pellegrini, City Solicitor, submitting a quarterly report of the settlement of small claims not exceeding \$750.00 for the Third Quarter of 1988, payable from Code Account No. 1081, Petty Claims. Also, a quarterly report of the settlement claims in excess of \$750.00 for the Third Quarter of 1988, payable from Code Account No. 46, Judgments.

Also,

No. 1695 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the

1989 budgeted positions in the Department of Public Safety, Bureau of Fire. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

**The Chair:**

Write a list, just like the others, the bill number, what the fee is and what the proposed hike is. And just break it down on a simple piece of paper and put it in everyone's box.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1696

Report of the Committee on Finance for November 16, 1988 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1594

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$106,644.37 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1599

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article V, Legislative, Chapter 151, Council, Section 151.01 (b) Regular and Special Meetings by changing the day of the Standing Committees meeting of Council, from Wednesday at 10:00 A.M. to Thursday at 10:00 A.M.

—(SPONSORED BY MR. FERLO)

Which was read.

**The Chair:**

Mr. Perry, if I may, the sponsor of the resolution would like to table this bill. So, we have to recommit it now and then table it on Wednesday. Is that correct?

**Mr. Perry:**

That's the proper thing to do.

Right.

Mr. Ferlo moved to recommit Bill No. 1599.

Mr. Lyons seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 1606

A Resolution entitled, "Resolution providing for a warrant in favor of Patricia Martin Hunt, in the amount of \$3,000.00 for professional consulting services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof," —(SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1607

A Resolution entitled, "Resolution providing for the transfer of \$3,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account 1970 (197004), Salaries, Purification & Pumping Division."

Which was read.

Also,

Bill No. 1608

A Resolution entitled, "Resolution providing for the transfer of \$18,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Accounts, Administration Division, Department of Water, to Code Account 1985 (198507), Equipment, Distribution Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1609

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, for payment, without previous authority of law, the amount of Sixteen Thousand and Five Hundred (\$16,500.00) Dollars in favor of A & H Equipment Company, an authorized factory representative, Grace Amick, President, for the repair of the 'Aquatech Vactor', (PW 371V), which had to be returned to the manufacturer for this repair, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1622

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$12,500.00, payable to Mark V. Martin, c/o Morton B. DeBroff, Esquire, 4304 Butler Street, Pittsburgh, PA 15219, in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1623

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser or Appraisers for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1624

A Resolution entitled, "Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with public hearing(s) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1625

A Resolution entitled, "Resolution Repealing Resolution No. 400, Item H, approved June 6, 1988, which authorized the sale of property in the 6th Ward, being a vacant lot, located at 3439 Denny Street, designated as Block 49-N, Block 202, to James A. and Sandra L. Genco, his wife for the sum of \$300.00."

Which was read.

Also,

Bill No. 1626

A Resolution entitled, "Resolution Repealing Resolution No. 314, Item A, approved April 25, 1988, which authorized the sale of property in the 4th Ward, being a vacant lot, located at 2136 Fifth Avenue, designated as Block 11-K, Lot 56B, to Raphael Mitchell and George Hollis for the sum of \$750.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 1627

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**Mr. Wagner** moved to recommit Bill No. 1627.

**Mr. Lyons** seconded the motion.

**Michelle Madoff:**

May I ask why?

**Mr. Wagner:**

There has been a request from the Finance Department.

**WHICH MOTION PREVAILED.**

Also,

Bill No. 1628

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1631

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Modern Reproductions, Inc. in the amount of Eight Hundred Ninety-Six 70/100 (\$896.70) Dollars in payment for printing services furnished for the benefit of the City of Pittsburgh without prior authority of law; and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1632

A Resolution entitled, "Resolution transferring the sum of \$2,500.00 from Code Account 1003, (Index Code 100305) Miscellaneous Services, City Clerk's Office, to Code Account 1005-2, (Index Code 100529), Printing Municipal Records, City Clerk's Office."

---(SPONSORED BY MR. WOODS)

Which was read.

Also,

Bill No. 1633

A Resolution entitled, "Resolution transferring the amount of \$65,000.00 from Code Account 1803, Utilities, Index Code 180307 to Code Account 1800-01, Administration Premium Pay, Index Code 180018, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1648

A Resolution entitled, "Resolution transferring the sum of Fifty-Seven Thousand Dollars (\$57,000.00) from Code Account 1043, Index Code 104307, Miscellaneous Services, Department of the Mayor, City Information Systems, to Code Account 1042, Index Code 104208, Salaries, Department of the Mayor, City Information Systems."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1308

An Ordinance entitled, "An Ordinance amending Ordinance 23, approved December 27, 1987, Section 1, 180.01 Definitions, Subsection A-4 by including Operations Coordinator, Chief Inspector, and Contracts Supervisor in the 'non-career service' positions of the City Controller's Office." (AS AMENDED IN COMMITTEE)  
—(SPONSORED BY MR. WAGNER)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Lyons        |
| Mr. DePasquale | Mr. Woods        |
| Mr. Ferlo      | (Pres't Pro tem) |

AYES 5                      NOES 3

(MICHELLE MADOFF, MR. POLLOCK AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Ferlo presented**

Bill No. 1697

Report of the Committee on Public Works for November 16, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1600

A Resolution entitled, "Resolution granting unto Mary Schepple, 1600 St. Patrick Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of her porch over a portion of the right-of-way of St. Patrick Street in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1601

A Resolution entitled, "Resolution vacating Gilpin Way from Middletown Road northeastwardly 63-feet to a point



in the 20th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Lyons presented**

Bill No. 1698

Report of the Committee on Planning, Housing and Development for November 16, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1604

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Better Block

Development Corporation for an amount not to exceed \$25,300 under the Neighborhood Housing Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

Bill No. 1699

Report of the Committee on Engineering and Construction for November 16, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1595

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection

Services in connection with the Reconstruction of Grant Street - Phase 4; and providing for the payment of the costs thereof."

Which was read.

**Mr. Ferlo:**

Mr. President, on Bill 1595 I would like my comments brought forward.

(BEGINNING - MR. FERLO'S REMARKS ON BILL NO. 1595 - WEDNESDAY, 11/16/88)

**Mr. Ferlo:**

Director, you know my long-standing position. Since I'm a new member of Council and I was not able to be here last year to vote on this Grant Street Project which I'm not happy about for lots of different reasons but is it too late for this Council to interject any criticism on the lighting that's been done?

I think it's the ugliest lighting in the world and it does nothing to keep in character with the brick work or the Union Trust Architecture. And I was wondering, why wasn't there a consideration given to utilizing the lighting that if — you are familiar with the EBA which is in style with the Grant Street character and it looks beautiful next to the Union Trust Building. Those globe lights with those bolts sticking out in the street look atrocious. It looks like the East Liberty Mall which was a great fiasco.

**Director McDermott:**

Early in 1980 a task force was put together of various departments within the City to establish what the standard lighting fixtures would be for the CBD. This was done prior to the subway

project being done and it happens that those were the light fixtures that were selected.

**Mr. Ferlo:**

I can't believe we spent over \$15 million for that.

**Director McDermott:**

We haven't spent over \$15 million. It's probably around \$12 million to \$13 million.

**Mr. Ferlo:**

And not spend a little extra to do some decent lighting. That lighting is not only thoroughly pedestrian looking but it's unattractive and it's too late to reconsider.

**Director McDermott:**

Yes. We have the same lights on Sixth Avenue.

**Mr. Ferlo:**

I have to abstain on this legislation.

(END OF REMARKS)

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |             |
|----------------|-------------|
| Mr. Coyne      | Mr. Pollock |
| Mr. DePasquale | Mr. Wagner  |
| Mr. Lyons      | Mr. Woods   |

Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

### MOTIONS AND RESOLUTIONS

**Mr. Ferlo:**

I have just a few points relating to the budget. First of all, at what point does Council receive the individual positions that are to receive bonuses and also what the dollar figure will be.

**The Chair:**

As each department comes up. Starting next Monday, I believe, we go into the departments.

**Mr. Ferlo:**

So we don't receive a list in advance?

**The Chair:**

When each department comes up it will be there. You can ask for it in advance.

**Mr. Ferlo:**

I think it would be relevant for us to receive the information in advance.

**The Chair:**

I have no problem with that.

**Mr. Ferlo:**

Two, I would like to suggest that

we begin to think about a change in the policy regarding out of town travel. Even though I'm a critic of the travel, my main concern for the last year has been one, the amount of money that we spend on travel and, two, the process by which we approve it.

I'm more inclined, based on what I've seen over the last few months, to remove from the weekly debate and dialogue the continual discussion that we have on travel. It's been my experience that many times a department director will sit there for several hours only to get up to discuss one travel bill which, in most instances, is not even under dispute. I think that's a waste of time.

What I would rather see is just a yearly amount for each department of what the budgeted figure will be. For instance, in Public Works, Mr. Gaetano will propose that he will spend \$8,000, much of which actually is for the City Cable Bureau. I would rather see us change the process whereby we know ahead of time what the yearly figure is going to be for each department director. We debate that amount on the next few weeks for each department director but then not spend countless hours of debate talking and approving each individual travel request. I have no problem leaving that up to the department director as long as we have some kind of built in advance notification system so that if there is something controversial, we can always discuss it or put a hold on it.

But I think we need to reform the travel situation and also, it's my hope that we budget a figure that's less than the \$400,000 or so that's been approved this year.

So, what I'm asking is for Council to begin to think about the issue of travel with the goal in mind of changing

the actual procedure that we will use for next year.

On two other related points, and these all have to do with the budget debates that will start in the next week and a half.

It's been my experience that a lot of the time gets expended with the department director discussing ad infinitum the particular budgeted line items that he or she submits to Council. However, one thing that has frustrated me throughout the year is the interaction that we have with the department directors every Wednesday is always limited to only the specific bill that is up before us. That's very frustrating when we want to talk about things that we are trying to work on and are either getting roadblocked by a department director or just getting the runaround.

I would like to see, and I would urge Council to consider and ask for support on this, that in addition to the actual budget that has been submitted to Council, and we will interact with the department director for each budgeted line item, I would ask that we communicate to them ahead of time and ask them to submit a narrative outlining some goals and objectives and activities for the coming year. And I would like to review that, especially in Public Safety and Parks and Recreation, General Services and Public Works, with what has been my experience and I'm sure all Councilmembers have experiences on trying to get specific things done out in the neighborhoods. And we have varying levels of interpretation on whether it has been done or not been done.

But I don't want to just sit there and debate one position and one budgeted item versus the other. I would also want to sit there and talk about what are some of the objectives and activities for the

coming year in each one of those departments. It's really our only forum to offensively ask about activities and also to evaluate to some extent the performance of a particular department director. I don't dispute the fact that we don't oversee that person from an administrative point of view, but we're the ones who bear the brunt. At least when I go out in the community, I'm the one who bears the brunt of why isn't this being done or why isn't that being done. And I think it's time for us to interact with department directors during the budget debate and talk about goals and objectives and I would ask that Council join me in asking for a review of the travel policy and also, that we specifically ask for a two or three page narrative outlining some of the goals and objectives and activities.

My bias right now is to eliminate the Mayor's Service Center. I would rather have that money come to Council so that we can add staff to deal with problems that citizens call in with, not only to my office but I'm sure to other Councilmembers' offices. I think the Mayor's Service Center is an unnecessary intermediate that really doesn't help to resolve citizen complaints. So, I would like to have Council think about that.

The fourth budget matter and then I'll close, they all have to do with the budget, is the notion that's been very frustrating, at least to me, and we experienced it in the last few days when citizens have come to us asking for very simple things whether it be sodding of a field or lining of a field or building outdoor restrooms. There are all kinds of little construction projects that I think could be done in-house on a mini-WPA kind of a program. And just like we did this year with the remote installation program of water meters where a program was constructed taking union workers out of the union hall, not giving

them full-time positions but on an as-needed basis. I think it's time that we put on one or two construction-type crews in City government that can do many of these infra-structure kinds of projects that don't involve consultants, don't involve a lot of external money for outside contractors, but can be done in-house with the expertise in the Department of Public Works or General Services or what have you. And I would like to see that also be debated and that's something I'm going to be arguing for very strongly in the next few weeks.

Thank you, Mr. Chairman.

**Michelle Madoff:**

Mr. President and members of Council, I find this dialogue by Mr. Ferlo almost humorous because, in the good old days, after many years of battling, when a subject was brought up by a Councilmember, we were allowed to address that subject before we went on to the second and the third and the fourth. It was interaction and there was dialogue and some of the matters were set straight and some of the misinformation was straightened out and we learned and we agreed and we debated and the issue was resolved.

Allowing a member of Council to go ahead, whether its me or anybody else, and discuss two or three items without the input from the others is really non-productive. And it's really the kind of stumbling block that we have seen in Council when particularly myself and other members wish to discuss a related item to the bill before us because it's the only action, I agree with Mr. Ferlo, the only time we have to interact with the department head and it is related. And we are cut off by saying, "You're not addressing the bill." It's a way of controlling this Council and good old boys network functioning.

So, if you really wanted to make changes and if you really believed in it, Mr. Ferlo, you'd come up with a mechanism to go back to the good old days, which were not much further than the bad old days, we got out of the back room with the smoke filled cigars and we got out here into Council and we put Council on cable gavel to gavel, where we could really have some dialogue with the department heads on bills, expand it beyond just sticking to the issue of the bill because we want to get out of here in a hurry, and you bitch about changing the meeting from Wednesday to Thursday, you want to change it.

If you really meant what you said, we'd really get down and addressing the people's business. And personally I think that nothing is going to change of any substance until we get a new Council and everything is going to change. It's going to be a better Council. Whether I'm here or not.

**Mr. Ferlo:**

I don't know what the heck that statement was all about.

**Michelle Madoff:**

I think the public understood what I said, so don't worry about it.

**Mr. Ferlo:**

Michelle, I think you should seek counseling. I don't understand the nature of your comments. It was the most ridiculous statement I've ever heard.

**Michelle Madoff:**

Fine. You think that way and we'll let the public judge for itself.

Mr. President and members of Council, I had asked Mike Perry's office

to introduce some legislation for me today and there was a mix-up and timeframe problem and it will be introduced next Monday, to amend Chapter 175 of the Art Commission to invoke including the Art Commission and the Architects Association before we put signs up around the City. I was at a second zoning hearing where people were coming and asking for another duplication of the abortions, the signs that are up on PPG that are just horrendous to the City. Before they're proliferated, we better do something about it.

So, in respect to the pending legislation which will be introduced next Monday, may I respectfully request the support for a floor motion that we put a hold on all signs until we debate and decide whether this piece of legislation will pass to have the Architects and the Art Commission have a say in what signs are put up? Just a freeze so that we don't go ahead and put more up because they're are some others pending that are even worse than the PPG signs. I make that in the form of a motion.

**Mr. Ferlo:**

Point of order. This discussion is about six months too late. If Michelle would attend the Wednesday sessions and participate she would know --

**Michelle Madoff:**

Don't you worry about what Michelle does. Worry about what you do.

**Mr. Ferlo:**

Excuse me, I have the floor,

Mr. Chairman. You called on me. I didn't call anybody a twerp or make fun --

**Michelle Madoff:**

You are a twerp.

**Mr. Ferlo:**

Mr. Chairman, it was many months ago when I brought up for debate, because I was opposed to it, the expenditure of \$1.6 million for the sign. I even brought the sign in and wanted to talk about the color and everything else. That was many months ago. More recently, because there was a change in responsibility to another department, we entertained the debate and discussion. So either the good Councilwoman has to explain herself further or I don't understand what the point of this motion is.

**The Chair:**

Let me just say this. There's a motion on the floor and it has been seconded. All it would be is a will of this Council which the Administration doesn't have to follow anyway. We just say we'd like you to put a moratorium on putting up any more signs until next week or next Wednesday. They don't have to follow it; they can continue putting them up, but it's just our wish, just like a resolution.

**Michelle Madoff:**

I am not saying that we stop putting the signs up. That is not what I'm saying. Street signs that are underway I want to continue with that. God, we don't want to stop them. I'm talking about the

special signs that have been put out by the corporations, the PPG signs, with the people walking in this razzmatazz jazz that looks like 42nd Street and some other buildings, industries, that are planning to do the same thing. That's the only thing I would like to have a hold on. Certainly I want to spend that \$1.6 because if we don't have street signs up, firefighters, paramedics and police can't get to save lives. Holding up street signs would be inane. So, if Mr. Ferlo paid a little more attention he wouldn't have a problem.

**The Chair:**

Okay, the motion, and it has been seconded, it that we ask Public Works not to give out any more permits for any more signs, Benedum Center, whatever, until this bill comes up for debate before this Council.

**Mr. Ferlo:**

Does that include pennants for Santa Claus and Christmas?

**The Chair:**

All in favor? Opposed?

**Mr. Ferlo:**

Opposed.

**Mr. Wagner:**

Opposed.

WHICH MOTION PREVAILED.

**Mr. Wagner:**

Mr. President, in regard to some previous comments by Councilman Ferlo, in regard to the individual departments, they will begin to come in front of Council next week, as everyone knows,

and I think those meetings will be very lengthy and I think that's healthy. Tomorrow the citizens' group, we've had the ULO, CDULO hearings, we've had the grants and donations which will conclude this evening. Tomorrow the citizen groups begin.

In relation to what Mr. Ferlo was talking about, the goals and the objectives of the departments, I'm sure he's referring to what the neighborhoods would like to have done. I would like to request that the various departments of which are involved in various neighborhood activities, have a representative sitting here to at least hear what these citizens groups are going to say about the various neighborhoods, meaning, the important departments such as Parks and Recreation, Public Safety, Public Works, Engineering, and even Planning. The other departments interplay more within City government, but I think it would be important for them to hear what all of us are going to hear. I know there's no formal way to do that but I would like to request at least to have a representative sitting and listening.

**Michelle Madoff:**

After ten and a half years, and I think this is my eleventh budget, you pretty well know what's happened. Secondly, it's on cable and you can rewatch it at your leisure at home. So I make a point of being on top of what is being presented by the request for groups; they're pretty much standard and the same. When they're different I usually meet with the people. They make a personal request. They lobby all of us. If I think it's important and I cannot be here, I make sure that my aides are either in this room or have their ears and their eyes glued to the cable in our offices.

I don't think there's a member of this Council, no matter how I may feel personally, that is shirking their responsibility and that is why I feel personally attacked when somebody says, "You weren't here on a certain day." As it happens, I may be working on something that is far more significant and I would be happy at any time, Mr. President, to say where I am and why I'm not here. I either have the flu or I'm working on a major issue for this Council, or I would be here.

**Michelle Madoff** approved the Minutes of Monday, October 31, 1988.

**Mr. DePasquale** seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII | Monday, November 28, 1988

No. 46

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, November 28, 1988

#### PRESENT:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

#### ABSENT:

Mr. Pollock

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### The Chair:

I'd like to welcome a young man, Mr. David Brown, from Peabody High School, a freshman. He is here to do a study and a paper on City Council, City government at its best. He'll be walking around taking some snapshots so everyone smile for young David Brown, please.

##### Michelle Madoff:

Put our tongues out as usual?

##### The Chair:

That's it.

##### Mr. Coyne presents

No. 1724 WHEREAS, AIDS has become an international epidemic which has affected all levels of Society; locally, nationally, and internationally; and

WHEREAS, on Thursday, December 1, 1988, attention will focus on the world-wide effort underway against AIDS by encouraging governments, communities, groups, organizations, and individuals around the world to discuss AIDS; and

WHEREAS, here in Pittsburgh, the NAMES Project - Pittsburgh Chapter, will display a small but important part of the NAMES Project AIDS Memorial Quilt to raise

consciousness, compassion, and understanding for those afflicted with the AIDS virus and their loved ones; and

WHEREAS, it provides an opportunity for all AIDS organizations and individuals to discuss the disease and to explain to our community what has been done in the areas of AIDS education, research, and direct services for those with AIDS as well as focusing attention on the epidemic.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes each individual's responsibility to forge a spirit of tolerance and support for those who have been touched by the AIDS epidemic and proclaims Thursday, December 1, 1988 as World AIDS Day in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

I have with me right now Bob Mazicone who is the Director of the Pittsburgh Chapter of the NAMES Project and he would like to tell you a little bit about the project.

Mr. Mazicone:

We started our project here in Pittsburgh last month in October after the display of the quilt in Washington, D.C. in which 8,288 panels of the quilt were on display. Right now, as of November 15th, the Center for Disease Control has said that Pittsburgh and

Allegheny County has 212 cases of people that have died of AIDS. Pittsburgh is considered a secondary city that has been exposed to this virus and to this disease. Unfortunately, we have not been affected that difficultly with this disease but very soon we will be impacted with this like major cities like Los Angeles, New York and others. So, here in Pittsburgh, we need to become involved, individually as well as collectively, as the City of Pittsburgh and individuals.

We will be on Thursday through this weekend honoring World AIDS Day which is sponsored by the World Health Organization and the NAMES Project in which 25 cities across the country and 6 countries will be honoring this as well as the United Nations, in which we'll be displaying the quilt here in Pittsburgh at the Forbes Quadrangle at the University of Pittsburgh. We also have many different individual displays, a 3 foot by 6 foot panel of the quilt on display of people that have died here in the Pittsburgh area. We ask for your support in this endeavor to combat this disease.

Thank you once again.

The Chair:

For our next resolution, Mr. Wagner has a little show and tell for us.

Mr. Wagner:

Thank you Mr. President and members of Council. I'll be brief. I don't have anyone receiving the resolution but I think it's a very important resolution

even though it's a non-binding resolution.

Mr. Wagner presents

No. 1725 WHEREAS, the Pittsburgh wage tax is a joint responsibility of the City of Pittsburgh (2.125%) and the Pittsburgh School District (1.875%); and

WHEREAS, this joint tax (4.0%) has become a burden to those living in the City and the greatest deterrent to people living in the City; and

WHEREAS, Mayor Masloff presented a budget to City Council and the residents of the City of Pittsburgh proposing a reduction in the City's portion of the wage tax from 2.125% to 1.625%; and

WHEREAS, this proposed reduction in the wage tax, if enacted by City Council, would represent the first reduction in the wage tax in over ten (10) years; and

WHEREAS, based on the comments by all Members of Council, it is the intent of Council to pass the 1989 Budget with a wage tax decrease equal to or greater than the decreased suggested by Mayor Masloff; and

WHEREAS, in order to have an even more significant decrease in the wage tax, it is imperative that the Pittsburgh School Board make an effort to reduce their portion of the wage tax.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that the Superintendent of the Pittsburgh

Public Schools, Richard Wallace, and the Members of the Pittsburgh School Board, join the City of Pittsburgh in reducing the wage tax by making a commitment to match the City's efforts and reduce their portion of the wage tax.

Mr. Wagner moved to adopt the resolution.

Mr. Lyons seconded the motion.

Which motion prevailed.

Mr. Wagner:

Thank you, Mr. President. I'll only take a moment at the easel. I simply want to point out visually what the wage tax is today which all of you are very familiar with. It is 4 percent. 2.125 percent the City; the School Board 1.875 percent; totaling 4 percent. If you ask the average member of the public on the street who is responsible for the wage tax, I know all of you will agree with me, the average member of the public will say that the City is responsible for 4 percent of the wage tax. That is not accurate; we all know that. But we know in order to have a significant impact on reducing this wage tax, not only must the City in the 1989 budget as proposed by the Mayor reduce our portion from 2.125 percent to 1.625 percent, but the School Board must do something also. As proposed, the reduction would be to 3.5 percent. We all know that's not enough because the average suburban community is 1 percent. We have to get lower than at least 3 percent to have a significant impact to retain and attract people back into the City of Pittsburgh.

The School Board will be higher

under the proposed 1989 budgets of both the City and the School Board. They will be a quarter of a percent higher. I would like to see them, and I'm sure all of you would also, in the passage of that resolution, do the same thing that all of us intend to do in this budget.

I'm not suggesting that it be a change from the wage tax to, say, the property tax. I am suggesting that the School Board strongly look at their cost - and their budget is almost equal to our's; it's about \$275 million a year - look at their cost of running the School Board and find ways to reduce their overall budget. I believe they can do that; I believe all of you know they can do that. So far today they don't even want to talk about it. And I am suggesting as the Finance Chairman of City Council that they begin to talk about it. And we want to talk with them about it. We want this to be a joint effort whereas both the City and the School Board can do something very significant beginning in January 1989. We can actually turn the tide in this City if the School Board joins us in our effort. I know some of you may have some comments on it.

That's pretty much all I have to say. I intend to appear in front of the School Board at their tax hearing which is December 12th in the evening at 7:30 p.m. I am hoping that all of you join me and I am hoping that the Mayor joins us at that tax hearing. We want to work with them; we want to find ways in which to reduce their cost, our cost, the taxpayers' cost, of which all of us represent.

Thank you very much.

Mr. Ferlo:

Mr. Chairman, I support the resolution and I thank Mr. Wagner for offering it. I will make a long-range observation. In having spoken now twice before the School Board, it seems whatever concerns we raise fall on deaf ears with the leadership, many of whom are up for re-election next year.

I feel very strongly regardless of the Chairman's position or comment earlier last week about an elected School Board that would be full-time and paid.

Independent of that, a longer range change, I think immediately the school board should begin to publicize and televise their meetings. There's not going to be reform, there's not going to be accountability. Whatever people feel about the antics, good or bad, on this Council and in these Chambers, at least we are accountable and accessible, our meetings are televised, the public knows what is going on in the City budget.

Mr. Wagner has correctly pointed out that their budget almost equals the magnitude of the City budget. They are a sacred cow, the School Board their spending is out of line, there is never any scrutiny, there is patronage galore in the School Board ad infinitum. It's time that that Board start publicizing the affairs and the public meetings of that organization. And I believe the public longer range will be better off for it and I think community groups would better be able to express their concerns. And I would hope that in addition to the

resolution today, the School Board would feel some pressure. And, if not, I think we should use some of the monies that we have in an overbloated cable operation here in the City and start televising those public School Board meetings and put them on Channel One, the Health and Education station.

Thank you.

**Mr. Coyne:**

I'd just like to add that maybe what we need to look at and what I'm going to try to do is contact Mr. Scortino in the Treasurer's office to see about the City refusing to collect the School Board's taxes. They work through us and we're the ones who get the grief, as Councilman Wagner said, of having a 4 percent tax. Maybe something can be done that we just will have two separate taxes taken out so that people will actually know what percentage the City is taking out and what percentage the School Board is taking out.

**Michelle Madoff:**

Along the line of my colleague, Mr. Coyne, not only should we refuse to collect it but we ought to start saying that the City of Pittsburgh has a wage tax of 1.625. And I think it would be very productive because we can talk ourselves blue in the face and nothing is going to happen, nothing is going to change. Let's start doing something. One of the things we can do is for a couple hundred of dollars is make some slides up that lists what the school taxes are in various communities and what they are in the City and start putting it on public service access, on cable,

the commercial cable, and on 2, 4, 11, the major networks who would be very happy to carry it. Let's get the truth out there and let's say the City of Pittsburgh wage tax is 2 percent, or whatever it was, and it's now going to be 1.6. The School Tax which has nothing to do with City Council or the Mayor is 1.8. And if you don't like it, public, you go to the School Board and you get them to televise because you can use the bloated dollars, as you call it, from cable and there's still no way you can force your cameras into the room. We're just talking to hear ourselves talk and it all sounds good and we all know it should happen.

I've been here ten and a half years, almost eleven, and I will tell you that nothing is going to change unless you make it. The way I get things through this Council, I can't get you to vote for a second to go to the bathroom. But if I get the public upset about garages that aren't lit, they'll get in touch with members of the Council and something will happen. And that's the same way we need to do things with the School Board. We need to get public awareness focused on exactly what Mr. Wagner is saying. The public thinks the four percent is the City of Pittsburgh tax. Everything we put out from here on in, let's refer to the City tax as 1.6, we don't collect the School Tax, and we have the School, we publicized through a commitment out of our budget this year, let's put \$2,000 aside - \$4,000, \$2,000 for 255-INFO, I'll skip on that, and \$2,000 to do spots, little slides, put them on all the television networks and on radio spots which cost practically nothing saying, "Attention, City Council wants you

to know this is what this cost is to the City and this is what it is from the Schools." And also, let us find out before we get through budget hearings what the school tax is in various communities so we have some kind of comparisons. I'd like to make that as a motion at budget time.

**Mr. Wagner:**

Mr. President and members of Council, just a final comment. First of all, I don't want anyone to think I don't get along with the people out at the School Board. I do. As a matter of fact, I know all of the School Board members; I communicate well with, I believe, all of them. This is simply a request for them to address something that all of us know and understand and are burdened with to a greater degree than they are. And the public lets us know about it everywhere we go. We're asking them for their help to join us to address this problem.

I sent a letter to the Superintendent and members of the Board, two letters actually, a year ago to meet jointly, all of us, all of them, then with Mayor Caliguiri to address this problem. I had no positive response to those two requests. That's the reason why I continue to bring this issue up.

I think they have a right also to say to the City, "We think you should reduce yours further" and I think we would have to agree with them. But the important thing here is that we need a commitment from both bodies.

A couple last items. The collection of the taxes, I asked our

Solicitor a couple of years ago, and Councilman Coyne referred to this, he told me that that can't be done. I thought it would be in the best interest of the City to separate the two. There was a long-term agreement; that agreement would have to be broken up and the School Board would have to have their own collection group of people or collection agency which actually would increase their cost of operation. And because we are doing it for them, it has reduced the cost of collecting taxes. So therefore, it is done jointly by the City of Pittsburgh. I don't think that can be done, mandated legislatively, or even voluntarily because it would cost more if we did do it that way. I simply want the public to understand that we want to address this problem and we need the School Board's help to do so.

Finally, I'd like to ask the City Clerk to please send a copy of this resolution to the Superintendent, Mr. Wallace, and all nine School Board members. Thank you.

**The Chair:**

Before we go on, I'd just like to state that I agree with all of you, what all of you have said, and I like the idea. Neighborhood groups have to get involved with the School Board. They must get involved. They're involved very heavily with this Council, with the running of the government of the City of Pittsburgh, and that seems where they stop. They're not involved in County government and they're not involved in the School Board. We did our little bit and when the School Board budget is \$291 million and our is \$300 million,

something is awfully wrong here. We have 5,000 employees, we have all the Safety, the Fire, the refuse pick-up, street paving here in the City of Pittsburgh for that kind of money, and they're educating I don't know how many children for \$290 million, the most expensive education you can buy in the United States. It just boggles my mind and I think that these members, and I cherish them and I think they do a great job, the leaders of the neighborhood organizations, and Jim I know you know most of them by a first-name basis because you were very active, I think it's about time that they got active and now went after the School Board and say, "We want a bank for our dollar, we want to see where it's going, itemize this budget", and you can cut a lot of fat there. Thank you.

**Mr. Coyne presented**

No. 1704 Resolution amending Resolution No. 823, effective October 28, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for Swimming Pool Renovations, including but not limited to Banksville, St. Clair, Fowler, Northgate and Riverview; and providing for the payment of the cost thereof," by amending the title to include authorization for Agreement or Agreements and by increasing the total project allocation by \$40,000.00 from \$400,000.00 to \$440,000.00, chargeable to and payable from the following Code Accounts: EC 88-36 \$70,000.00 to CDEC \$370,000.00.

Also,

No. 1705 Resolution Repealing Resolution No. 468, effective June

24, 1988, entitled: "Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for the implementation of the Swimming Pool Infrastructure Study at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account EC 88-36.

Which were read and referred to the Committee on Engineering and Construction.

**Mr. DePasquale presented**

No. 1706 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Mark Martorano and Brian Bark to review the final version of the CAD software tape in Minneapolis, Minnesota, December 17-19, 1988, at a cost not to exceed \$733.00, payable from the PSTA Code Account.

Which was read and referred to the Committee on Public Safety.

**Mr. Ferlo presented**

No. 1707 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Highland Park Trust Fund, for the deposit of cash and contributions from any source, both public and private, and authorizing the use of the funds deposited therein by the Department of Parks and Recreation for any and all expenses associated with the maintenance, repair or improvement to Highland Park. ---  
(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1708 Resolution granting unto Equitable Gas Company, 420 Boulevard of the Allies, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of the Boulevard of the Allies in the 1st Ward of the City of Pittsburgh.

Also,

No. 1709 Resolution granting unto James V. Roberto, 73 Marion Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway and sideyard on a portion of the right of way of an unnamed way in the 1st Ward of the City of Pittsburgh.

Also,

No. 1710 Resolution granting unto Pittsburgh Home Savings and Loan Association, 438 Wood Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk and hatch doors in a portion of the sidewalk of Wood Street in the 1st Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Lyons presented

No. 1711 Amendment to Rule VIII of the Rules of Council which will call for the consideration of a bill only on or after the 8th day following the meeting in which the bill was introduced except for

special cases such as when a bill may be passed finally on the day of its introduction.

Which was read.

Also,

No. 1712 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Forbes Trail Development Company and/or Moose Medical Associates for the sale of Block 23L Lot 101 for \$67,000.00 in the 22nd Ward of the City of Pittsburgh, under the Industrial Land Reserve Fund Cooperation Agreement. The redeveloper plans to rehabilitate the existing structure on this property, known formerly as the Moose Building, for use as a medical office building. Forbes Trail Development Company is a sole proprietorship owned by Peter Friday with an office at 610 Smithfield Street, Suite 310, Pittsburgh, PA 15222. The general partners will be Peter Friday of Forbes Trail Development Company and Dr. Joseph E. Imbriglia. (COMMERCIAL REHABILITATION)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1713 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article IX - Boards, Commissions and Authorities, Chapter 175, Art Commission, Section 175.02, Works of Art Defined, by adding "special category signage".

---(SPONSORED BY MICHELLE MADOFF)



Which was read and referred to the Committee on Finance.

Michelle Madoff:

I just want to tell you who asked me to introduce the bill. I was asked by a number of leading architects in the City who were very upset at the PPG signs, and by members of the Art Commission. They asked me to please introduce the bill.

Mr. Wagner presented

No. 1714 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program share of the statewide on-line computer system cost for the period July 1, 1988 through June 30, 1989. The total of the warrants will not exceed \$35,794.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 1715 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1989 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article IIIk, Depositories

Also,

No. 1716 Communication from Sophie Masloff, Mayor, City of Pittsburgh, requesting authorization for George Jacoby and Pat Leheny to meet with State Legislators regarding the Tax Reform Package, in Harrisburg, PA, November 15, 1988, at a cost not to exceed \$600.00, payable from Code Account No. 1017, Misc. Services. (PRIOR APPROVAL

GRANTED)

Also,

No. 1717 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Alma Speed Fox and himself to attend a Fair Housing Seminar, in Cleveland, Ohio, January 18-19, 1989, at no cost to the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1718 Amendment to Rule VIII of the Rules of Council which will call for all bills to be deposited to the Clerk of Council by 12:00 noon Friday prior to the Regular Meeting of Council with the exception that any member may present any bill or paper notwithstanding said rule, with the consent of the majority of the members present at any meeting of Council.

Which was read.

Also,

No. 1719 Communication from James Turner, Director, Department of Finance, submitting a report of deposits and the Market Value of securities pledged as collateral by City Depositories as of September 30, 1988.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1720

Report of the Committee on Finance for November 22, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1643

A Resolution entitled, "Resolution transferring Two Hundred Thirty Two Thousand, One Hundred Eleven Dollars (\$232,111.00); Code Account CC, Community Communications Trust Fund (Index Code 250555) to the General Fund, City of Pittsburgh for reimbursement of the indirect costs incurred by the Bureau of Cable Communications for 1988."

Which was read.

Also,

Bill No. 1649

A Resolution entitled, "Resolution providing for an Agreement with Columbia Gas Company which grants an easement and right-of-way to construct and install ten inch or smaller pipeline and appurtenant equipment and further to operate, maintain, repair, renew or replace said line across City owned property in the 27th Ward, Verner Avenue, Block & Lot 75-B-147."

Which was read.

Also,

Bill No. 1627

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1721

Report of the Committee on Planning, Housing and Development for November 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1605

A Resolution entitled, "Resolution amending Resolution No. 212, effective March 13, 1987, entitled: 'Resolution providing for an Agreement or Agreements with Community Human Services, Inc., and the Urban Redevelopment Authority for financial assistance to operate and expand their early childhood and congregate living centers in an amount not to exceed \$50,000.00, so as to change the use of funds for the project.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 1722

Report of the Committee on Water for November 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also; with an affirmative recommendation,

Bill No. 1674

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts for the purchase of leak detection equipment to be used in the Department of Water and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1723

Report of the Committee on Engineering and Construction for November 22, 1988 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1641

A Resolution entitled, "Resolution amending Resolution No. 1058, effective December 22, 1987, entitled: 'Providing for a Contract or Contracts, for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase I, including work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Port Authority of Allegheny County; and providing for the payment of the costs thereof,' by amending the title to include Phase II of this project, and by increasing the total project allocation by \$4,507,700.00 from \$5,000,000.00 to \$9,507,700.00."

Which was read.

Mr. Ferlo:

On Bill 1641, I just want to take this opportunity to thank Director McDermott for his effort in addressing concerns that have been raised by residents regarding the intersection at Williams Street and Arlington and the grading and also replacement of a wall that's caving in. It's part of this legislation and I want to thank him for helping

to address the concerns.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and members of Council, we're getting to the end of the year and I want to be sure that not only myself but other members of Council, particularly the new members, and I've been here 11 years and I've had it happen to me a dozen times, do not miss the opportunity to have included in the budget process the opportunity to have included in the budget pertinent items that you thought about or wanted to include and said, well, when we get to the budget time I'll introduce it then.

So, I want to go on record as having Mike Perry notify the Finance Chairman, and Finance Chairman,

please make note, that at the appropriate time I want to be sure that three important items that I have concerns about are included in the budget so that later I don't have the same thing happen to me that has happened numerous times on water commitments. You didn't bring it up at the right time; bring it up later. You bring it up later and you brought it up too late. I want to be sure that everything is included that is important.

So let me tell you the things that I would like to make sure: a grants person; a person that would be working with the full name and influence of the Mayor and the City Council going out and raising money for those groups that we're going to have to turn down because we don't have the money. And no matter how much money we allocate to the food problem, the hungry, we're still going to need more money. And that grants person could also go to private corporations and the non-traditional private companies, not the biggies, perhaps, but some of the secondary and third kind of groups that would make it an on-going commitment.

I want to be sure that it's brought up at the right time, Mr. Wagner, that I know to bring it up at the right time so they don't say I brought it up too late or that I missed the opportunity.

The other one is 255-INFO. The 255-INFO is presently generating 50 percent additional calls on the Mayor's Service Center and 40 percent of our 911 calls come in on 255-INFO. 911 is answering 255-INFO. 255-INFO, for those of you who may not remember, was given to us courtesy, the line was released

courtesy of I believe it was Westinghouse electric, if I'm not mistaken. Westinghouse gave up that number because people will remember an acronym; they will not remember the number in the front of the telephone book which I still don't know. People are still calling 911 and saying they have a dead dog, their garbage wasn't picked up, and unfortunately, it does tie up some of the time. Our Police Department is saying that we're answering all calls in 15 seconds and that may very well be true under the new system, but I still have people saying they call in and they say hold the line a minute on a recording when their house is on fire.

So what we need to do is the same thing we do with the School Board. Get some public service spots on the air, on 2, 4, 11 and radio stations, that say, "Please do not call 911 unless it's an emergency, fire, paramedic or police." The crime in progress could be you or a loved one. Very simple. Use the 255-INFO. Presently, 255-INFO is being answered by the Mayor's Service Center until 4:00 on Friday and over the weekend nobody is answering it except 911. It's absolute insanity. And it's taken in the same order as 911 calls. It would be very easy to put some dollars aside for an answering service with a kick-over line to the emergencies that were necessary and to have somebody on that line all the time.

The last one is probably one of even more concern. I recently learned, and I was not present at a hearing and perhaps my colleagues can enlighten me, that there is some question of having our police

officers pay a ten percent contribution towards their medical services. There are some negotiations going on right now. I've heard this from the police officers. If that were to be true, I was told that by taking early retirement they would be eligible for their full benefits and they wouldn't have to kick in ten percent and it would mean 300 early retirees in the police department.

I want to make sure that's checked and discussed when the police are up, if that indeed is one of the problems. I've heard it from three police officers.

**The Chair:**

We had a public hearing last Tuesday or Thursday and we had all uniformed people in here and not once was that ever raised. We sat here and discussed --

**Michelle Madoff:**

Maybe it's something that has not been discussed yet and I wasn't sure that I missed that. But police officers have told me that they've been informed that they are asking them to contribute ten percent towards Blue Cross and Blue Shield. I don't know whether that's right or wrong. But if that becomes the case by taking early retirement they get their full component and they will take early retirement and we would be some 300 police officers short. I'd like to have that double checked, if that is in the works.

**The Chair:**

-- Public Safety will be coming up

**Michelle Madoff:**

if anything happens, if I get run over in the meantime, somebody please address it.

**Mr. Ferlo:**

Just to follow up on one thing that Michelle raised, while there's not majority viewpoint on Council on the so-called dismantling of Public Safety whereby we reinforce and shore-up the four existing departments, I did sense a willingness on the part of the President and a majority of Councilmembers to form a high-level committee of Councilmembers regarding next year's evaluation of the effectiveness. There has been a multitude of conflicting information. We have a major report by the FOP regarding the staffing of the so-called zone headquarters. There's conflicting information. I've called 911; I've called 255-INFO in the hours that Michelle has talked about, only to learn that a 911 dispatcher is answering the 255-INFO line. It's happening recently, it's happening during the day, and it's a problem. I have reviewed computer printouts of 911 calls and there's a very large and alarming percentage of 911 calls that are being responded to by first responders from the Fire Department, people from a medical point of view that I think should be immediately turned over to the EMS response unit.

There are all kinds of problems that I think need to be talked about and evaluated regarding the effectiveness of public safety. And while we may make some administrative changes to the existing budget, I guess there will

not be any major overhaul despite my opinion. I would hope that the Chairman would move on the formation of this committee, as I sensed a willingness on his part to do so.

And while we're adding, as Michelle has a laundry list of concerns, I want to remind the Chairman of my commitment to a certain recent hiring on Council's staff in exchange for the hiring of solicitor and secretary on the Council payroll next year. So, please be reminded of that.

**Mr. Wagner:**

Mr. President and members of Council, in regard to the overall budget, and my colleague, Councilwoman Madoff referred to items that should be addressed by the Finance Chair, I simply want to let all Councilmembers know that if there is something not in the budget, in the Administration's proposed budget, that they want in the budget, that will have to come up for a vote, an individual vote on that particular line item at the appropriate time and it would be up to that member of Council to introduce that, not the Finance Chair.

**Michelle Madoff:**

I understand that but I don't want to be a victim, as I was for many years, of the issue of being told to bring it up at budget time and I'd bring it up and they'd say not today, tomorrow. And I'd bring it up again and they'd say oh, it already passed. Little head games get played in this room.

You're the Finance Chairman, you tell me when it's the

appropriate time to bring up a grants person, 255-INFO, and I'll bring it up. I'll be happy to bring it up. I've done it for ten years.

**The Chair:**

Bring up the grants person right under the Administration, the Mayor's Office.

**Mr. Wagner:**

And generally speaking, that has to be in writing indicating some line item, code number, where the monies are coming from. There won't be any games or anything because I don't have anything to do with it; that's up to the Councilmember sponsoring that change in the budget. It's up to that individual to put that in writing in front of Council at the appropriate time.

**Michelle Madoff:**

It's been in writing --

**The Chair:**

Okay, okay.

**Mr. Ferlo:**

Mr. Chairman, on this point that Michelle has raised, I think it's very valid. Could not the Chairman of Finance, Mr. Wagner, act as sort of a clearing house for any and all suggestions that we're going to make. I would like to know ahead of time what some of the recommendations are so we're not at the same time proposing the same day of voting. If Michelle has some constructive concerns, I'd like to know ahead of time. Couldn't the Finance Chairman, Mr. Wagner, act as a clearing house, to some extent?

**The Chair:**

We cannot put that burden on Mr. Wagner or any other member of Council because if you present Mr. Wagner with something and it inadvertently does not get brought up, he's to blame, he did this. We all know the schedule, we know what we want under what department, and we all have a staff. I suggest we go to our staff and say, "We want this prepared because I'm going into this meeting for this department on this day at this time and I want to present this."

By the way, we do not vote on that particular item on that day. It is put into the budget then and then a week or two weeks, whenever it comes up again, is when we vote. Whenever you committee comes up, whatever you want to put in, whatever committee, you do it at that time.

**Michelle Madoff:**

There is no committee for a grants person.

**The Chair:**

I just told you what committee to put it under. The Mayor's Office or if you want it under Council, put it under Council.

**Michelle Madoff:**

Why don't we go through Council?

**The Chair:**

Fine. If you want to put it under Council, put it under Council.

**Michelle Madoff:**

Mike, will you draw both bills up again? Just pull them out of the file; they've been here ten times. Just reactivate them.

**The Chair:**

I would like to ask Mr. Perry, would you please get a copy of the Pittsburgh School Board's budget. And once we have that copy I would like to discuss it, and I'm following it up with you, Mr. Wagner, and all of you. I think it's a very serious thing and I think perhaps that maybe we should air that budget out on public television. Maybe people don't know where that money is being spent and how it's being spent and by whom. If they don't want to do it, perhaps if we get the budget and, Mr. Wagner, if you allow us, if you can find the time in our budget schedule, maybe put an hour aside that we are here, and let's air it. Anyone from the School Board can come and explain it and, if not, we'll try to do it ourselves. But I think we should do that and that reinforces your point here about the wage tax that the budgets are so close it's amazing why one can do it and not the other.

**Michelle Madoff:**

Mr. Chairman, who is on the School Board from the City? Who is a member of the City government who is on the School Board?

**The Chair:**

Everyone is elected.



**Michelle Madoff:**

Isn't the Controller on the School Board as well?

**The Chair:**

No. There are nine members elected by districts.

**Michelle Madoff** moved to approve the Minutes of Monday, November 7, 1988 and Monday, November 14, 1988.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Michelle Madoff** moved to excuse Mr. Pollock for absence from the meeting.

**Mr. Wagner** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, December 5, 1988

No. 47

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, December 5, 1988

#### PRESENT:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mr. Woods       |

(Pres't Pro tem)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Ferlo and Mr. DePasquale present

No. 1782 WHEREAS, City Council believes that City workers deserve the opportunity for promotion within its ranks; and

WHEREAS, the Department of Personnel and Civil Service has scheduled a promotional competitive examination for police lieutenant at the David L. Lawrence Convention Center on Wednesday, December 14, 1988 at 5:30 P.M.; and

WHEREAS, some police officers wishing to take the exam will be working their tour of duty at that time; and

WHEREAS, the test should last approximately 3 hours; and

WHEREAS, it is not fair to ask City employees to use their own time when on duty to take a promotional examination that is fully scheduled by management.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh requests that the Mayor provide the authorization of police officers who have submitted their application for the police lieutenant promotional examination on December 14, 1988 and who are on duty at the time of the test to be permitted on City time, to take this test at no lost time to the employee and return back to duty at the completion of the examination.

Mr. Ferlo moved to adopt the resolution.

Mr. DePasquale seconded the motion.

**Mr. DePasquale:**

Point of Discussion, Mr. President. When I was a member of Public Works, tests came up very often for foreman, whatever, a promotional test and there were tests where several hundred took them and no one was ever docked. The employees went there, took the test; it might have taken a couple hours and then they came back to work. This isn't anything new.

**Mr. Pollock:**

I have a question for Mr. DePasquale. Is there something new that's happening that would necessitate a change?

**Mr. DePasquale:**

Apparently, Mark, having it on a weekday makes it difficult for a lot of the policemen; whereas, formerly they used to have it on a Saturday, an all-day thing, and most of them were off on pass or whatever. This makes it a hardship being that it's in the middle of the week. They just felt that the ones that took it should not be docked.

**Mr. Pollock:**

Why was the day of the week for the test changed?

**The Chair:**

I have no idea.

**Mr. Ferlo:**

I think on any given day there's going to be a problem because there's always swing shifts, there's always people working. This basically supports the notion that

we promote career advancement within our own City workforce.

**WHICH MOTION PREVAILED.**

**Mr. Lyons:**

Mr. Chairman and Council, this resolution is regarding the benevolent works of the East End Cooperative Ministry.

**Mr. Lyons presents**

No. 1783 WHEREAS, the East End Cooperative Ministry, composed of forty churches and synagogues, serves the poor of the city by providing shelter, food, clothing and counseling for adults and youth; and

WHEREAS, the EECM's programs include the Soup Kitchen which serves hot, nourishing meals daily; the Food Pantry which distributes emergency food to families monthly; the Men's Shelter which provides the homeless with a place to stay nightly; the Bridge-Housing Unit with a transitional intent in apartment housing that also has counseling programs with an 85% success rate of participants in stable living conditions; and

WHEREAS, the EECM's Drop-In Center provides a warm, safe and comfortable place for the homeless to stay during the day and further has available the Outreach mental health and drug and alcohol abuse counselors; and

WHEREAS, the EECM's Elderly Services care for approximately 200 people monthly, including 80 persons serviced through the Meals-on-Wheels program; and

WHEREAS, the Children and Youth programs include tutoring, established recreational activities, a Youth Club and a six-week summer day camp; and

WHEREAS, the significant contributions and proven success of the EECM programs have enriched and revitalized the Pittsburgh community in human and social services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims December 5, 1988, the fifth anniversary of the Men's Shelter, as a Recognition Day for the East End Cooperative Ministry.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Lyons:

Mr. Chairman and Council, we have two fine people here who have been very prudent and have exhausted every Christian effort to serve humanity in the most humble way. I have remarks coming from Mrs. Marker and Reverend Dianne Sheppard.

Reverend Sheppard:

I am here as President of the Board of the East End Cooperative Ministry which means I represent one of the 45 churches that are part of our organization and I'm taking my turn as President of that group.

I have asked Judy Marker, our Executive Director, to tell us a little bit about the East End Cooperative Ministry on behalf of

our Board. Thank you.

Mrs. Marker:

Mr. Lyons really presented a very able run-down on everything that we do. We appreciate the recognition. We are proud and happy to do what we do in the East Liberty-Garfield section of the City. We long for the day when it's not necessary to have emergency shelters or to give out emergency food or to have a soup kitchen to do any of those things, but I think as long as that need is there, there churches and synagogues will try to fill the gaps.

We thank you for this recognition and invite you to come visit us in East Liberty.

The Chair:

Thank you.

Mr. Wagner:

Mr. President and members of Council, I'd like to ask one of the greatest athletes in the world to please step forward for this resolution, Mr. Roger Kingdom. Roger, as everyone knows, has won the gold medal in the Olympics, not once but twice; in 1984 and 1988. We are extremely honored to have him with us.

Mr. Wagner presents

No. 1784 WHEREAS, Roger Kingdom, representing the United States of America, became the second man in Olympic history to win consecutive gold medals in the 110 meter high hurdles, by winning his second gold medal at the 1988 Olympic Games in Seoul, South Korea;

and

WHEREAS, with his win in Seoul, Roger Kingdom established a new Olympic record of 12.98 seconds, breaking his own record of 13.20 seconds set at the 1984 Los Angeles Olympic Games; and

WHEREAS, 1988 is a continuation of Roger Kingdom's fantastic athletic career in which he has broken records in track and field competition nationally and around the world, lettered as a free safety for the University of Pittsburgh Football Panthers for two years and lettered in track and field for four years, establishing new school records for the 110, 60 and 55 meter high hurdles and the high jump, all of which he still holds; and

WHEREAS, the last chapter of "The Roger Kingdom Story" is far from being written, as Mr. Kingdom plans to participate in the 1992 Olympic Games in Barcelona, Spain with hope of becoming the first hurdler in history to win three gold medals in a row.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Roger Kingdom on winning his second gold medal in the 110 meter high hurdles at the 1988 Olympic Games in Seoul, South Korea; and

BE IT FURTHER RESOLVED, that the Council extends its best wishes and full encouragement as Roger Kingdom goes for a history making third gold medal at the 1992 Olympic Games in Barcelona, Spain.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Roger, we'd like to ask you to say a few words but, prior to that, we're very honored to have you here today in the City of Pittsburgh, City Council Chambers, not so much just to receive this resolution but so that you can speak to our youth in the City of Pittsburgh. You represent a true example of what a person can accomplish in life and I'm sure many young people in the City of Pittsburgh can do the same.

We are very honored to have you and we'd like you to share some thoughts with us.

Mr. Kingdom:

To speak with the youth, that really not a difficult task to do. But first of all, I'd like to say thank you, Mr. Wagner, for inviting me here, to Councilmembers and also the staff.

When I started out it wasn't that easy. I was from a poor family in Georgia, a small town, and it seemed kind of dim at one time but I just held onto my dreams, I just kept knocking at the door, I just kept working hard and even doing well in school until finally I had my opportunity. I started out with a football scholarship to the University of Pittsburgh which exposed me to the type of atmosphere that I needed to get the name and the know-how and the experience that I did in track and field, as well as football.

After I started succeeding, I'm

here now to tell you, especially all the young kids, hold onto your dreams because dreams do come true. I'm living proof that they do.

Like I said before, it wasn't that easy because after I won my first gold medal, I was hampered with a hamstring that kept me down for two years. And then, again, it was kind of rocky; I thought about leaving the sport, thought about running away from it. But I had people like yourself who believed in me, knew my ability, and it kind of coasted me back into it and here I am again. I won again in '88 and I think this time I'm on my way and I'm proud to say that I can be a legitimate role model for a lot of young kids who are out there trying to do the same now.

Thank you for inviting me.

**Mr. Lyons presents**

No. 1785 WHEREAS, the Reverend Dr. Norman E. Gant, after years of unselfish, dedicated service, as President of the Baptist Ministers' Conference of Pittsburgh and Vicinity and as a leader in various groups and organizations, has extended his compassionate aid to the needy; and

WHEREAS, the Reverend Dr. Norman E. Gant, through his seven years of radio broadcasts, has revitalized spiritually the faithful listeners with a preaching/teaching ministry; and

WHEREAS, the Reverend Dr. Norman E. Gant is completing his tenure at Macedonia Baptist Church, where he reached the area's unemployed steelworkers and their

families with an exceptional spiritual leadership; and

WHEREAS, the Reverend Dr. Norman E. Gant will be leaving the Pittsburgh vicinity to be pastor in the Greater Philadelphia area; and

WHEREAS, the Reverend Dr. Norman E. Gant will be honored at a special tribute on December 2, 1988 by his congregation and the people of Pittsburgh with whom he has been involved and who greatly respect him.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims December 2, 1988 as the Reverend Dr. Norman E. Gant Appreciation Day.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Coyne presented**

No. 1726 Resolution further amending Resolution No. 390, effective April 30, 1985, as amended by Resolution No. 611, effective September 21, 1986, as amended by Resolution No. 465, effective June 24, 1988, entitled: "Providing for an Agreement or Agreements, or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome and Satellite Domes; and providing for the payment of the costs thereof," by increasing the total project allocation by \$227,388.35 from \$800,000.00 to \$1,024,388.35.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 1727 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$45,805.15 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way, payable from Code Account EC 87-12.

Which was read and referred to the Committee on Finance.

Also,

No. 1728 Resolution amending Resolution No. 532, effective July 18, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of No. 5 Police/No. 8 Fire Station; and providing for the payment of the cost thereof," by increasing the total project allocation by \$138,168.84 from \$1,063,000.00 to \$1,201,168.84.

Also,

No. 1729 Resolution further amending Resolution No. 1094, effective January 1, 1988, as

amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing EC 88-21 by \$220,000.00, by increasing EC 88-70 by \$137,000.00 and by adjusting the Summary Totals.

Also,

No. 1730 Resolution further amending Resolution No. 274, effective March 29, 1985, as amended by Resolution No. 390, effective May 13, 1986, as amended by Resolution No. 466, effective June 24, 1988, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof," by increasing the total project allocation by \$25,000.00 from \$90,000.00 to \$115,000.00.

Also,

No. 1731 Resolution further amending Resolution No. 269, effective April 12, 1988 as amended by Resolution No. 533 effective July 18, 1988 entitled: "Providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Marie Pena, his wife for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation; and necessary and incidental acquisition and relocating cost related



thereto," by further amending the title and description set forth therein.

Also,

No. 1732 Resolution providing for a Contract or Contracts, or use of existing Contracts for Melwood Avenue Reconstruction - Phase B (Bloomfield Bridge) at a cost not to exceed \$755,000.00, chargeable to and payable from the Bloomfield Trust Fund.

Also,

No. 1733 Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to Retaining Wall No. 12 of the Bloomfield Bridge at a cost not to exceed \$45,000.00, chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 1734 Resolution amending Resolution No. 706, effective August 29, 1988, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of the Melancthon Street Pedestrian Bridge; and providing for the payment of the costs thereof," by increasing the total project allocation by \$140,000.00 from \$100,000.00 to \$240,000.00.

Also,

No. 1735 Communication from Michael Coyne, Councilman, requesting authorization for Joseph Cusick to attend the Career Track's Seminars "Business Writing Skills", January 26, 1989 at the William Penn Hotel, Pittsburgh, Pa., at a cost

not to exceed \$100.00, payable from Code Account No. 1001-1, Miscellaneous Services, City Council & City Clerk's Office.

Also,

No. 1736 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for John Weres, Donald Killmeyer, Joseph Tumas, Joseph Semiaro and Stephen Shanley to attend the "Inspection of Fracture Critical Bridge Members," December 9-10, 1988 at the University of Pittsburgh, at a cost not to exceed \$600.00, payable from Code Account No. 1482, Miscellaneous Services. Wilbur Smith Assoc. has developed the course and the manual, which is now a supplement to the Bridge Inspectors' Training Manual. Basic concepts will be shown through a slide presentation and an understanding of the problems will be gained through examinations of failures, including workshop studies.

(PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. DePasquale presented

No. 1737 Resolution transferring the sum of \$125,000.00 from Code Account 1461-1, Premium Pay, Bureau of Fire to Code Account 1443-4, Premium Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover premium pay for the remainder of the 1988.

Also,

No. 1738 Resolution

transferring the sum of \$20,000.00 from Code Account 1461-1, Premium Pay, Bureau of Fire to Code Account 1421, Miscellaneous Services, Bureau of Emergency Medical Services, Department of Public Safety. This transfer is necessary to cover expenses for the remainder of 1988.

Also,

No. 1739 Resolution transferring the sum of \$24,000.00 from Code Account 1405, Equipment to Code Account 1401, Miscellaneous Services, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover towing charges for the remainder of 1988.

Which were severally read and referred to the Committee on Finance.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1740 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Ronald Franz, John Leckie, John Snyder and Alex McClellan to attend a DARE Training Program, December 4-16, 1988, at Camp Pendleton Military Reservation, Virginia Beach, VA, at a cost not to exceed \$769.00, payable from the PSTA Code Account, Bureau of Police,

Department of Public Safety. Permission is also requested for use of a City vehicle. It is necessary for these four officers to attend this DARE Training Program to be officially certified to teach the DARE program. This two week program is a requirement for DARE Certification.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

Mr. Ferlo presented

No. 1741 Resolution authorizing the issuance of a warrant in favor of Penn Paving, Inc., in the amount of \$60,000.00 in payment for extra work furnished for the benefit of the City in connection with the Renovation and Replacement of concrete sidewalks for improvements to the Three Rivers Stadium, chargeable to and payable from Code Account PW 88-16, Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1742 Resolution amending Section 1 of Resolution No. 56, approved February 11, 1988, effective date February 15, 1988, entitled, "Granting the privilege and license to construct, maintain and use at their own cost and expense a Parking Area on a portion of the right of way of Maurice Street in the 4th Ward, City of Pittsburgh.

Also,

No. 1743 Resolution granting unto Carol Katich of 2468 Toner

Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense an off-street parking area on a portion of the right of way of Clarence Way in the 27th Ward of the City of Pittsburgh.

Also,

No. 1744 Resolution granting unto Edward D. Goslin, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a guard rail and fire escape landing on a portion of the sidewalk of Dasher Street in the 22nd Ward of the City of Pittsburgh.

Also,

No. 1745 Resolution granting unto L.C.C. Graphics, Inc., 2900 Smallman Street, the privilege and license to construct, maintain and use at their own cost and expense a canopy over a portion of the sidewalk of 2900 Smallman Street in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1746 Resolution granting unto William and Frances Herron, 1212 Leaside Drive, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a rear yard extension on a portion of the right of way of G-Way in the 31st Ward of the City of Pittsburgh.

Also,

No. 1747 Resolution granting unto James N. Stasenکو, 3100 Mission Street, his successors and assigns, the privilege and license to

construct, maintain and use at his own cost and expense, a deck over a portion of the sidewalk of Northview Street in the 16th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Lyons presented

No. 1748 Resolution approving execution of Contracts by and between the Urban Redevelopment Authority and various Redevelopers for the sale of properties in the 4th, 9th, 17th, & 25th Wards -- Residential Land Reserve Fund - VPRC.

Also,

No. 1749 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 17th Ward of the City of Pittsburgh designated as Block and Lot 13A-164 (1921 St. Paul Street) in the Deed Registry Office of Allegheny County for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1750 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by James P. Pastorius and Theresa Pastorius, his wife, and designated

as Block and Lot 12E-170 (1723 Sidney Street) in the Deed Registry Office of Allegheny County for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1751 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pittsburgh designated as Block and Lot 23L-193 (1310 Boyle Street) in the Deed Registry Office of Allegheny County for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1752 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 4th Ward of the City of Pittsburgh owned by Emil Niccoli, et ux, and designated as Block and Lot 29D-24 (3601 Swinburn Street) in the Deed Registry Office of Allegheny County for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1753 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Raymond Gorick and Jean Ann Gorick, his wife, and designated as Block and Lot 80N-57 (115 43rd Street) in the Deed Registry Office of Allegheny County for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1776 Resolution providing for the transfer of \$50,000.00 from Code Account 1926, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981, Premium Pay Distribution Division, Department of Water. Additional funds are needed to carry the division through the balance of the year.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1754 Resolution transferring \$29,000.00 from the Department of Water, Miscellaneous Services, Code Account 1922 (192203) to the Information Systems Office (G.I.S.), Code Account 1043 (104307), Miscellaneous Services. This transfer will cover various hardware, software, servicing and administration costs incurred by G.I.S. for Department of Water equipment purchases during 1988.

Which was read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1755 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain Delinquent Earned Income and Home Rule Taxes.

Also,

No. 1756 Resolution providing for an Agreement or Agreements with various laboratories for professional services in connection with the administration and evaluation of drug and/or alcohol laboratory tests required by the City of Pittsburgh medical examinations program for employment examinations as determined by the Civil Service Commission at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Which were read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of

the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1757 Resolution providing for the issuance of a warrant in the amount of \$4,000.00, payable to Domenico DePasquale, an incompetent person by and through his guardian ad litem Sabbia Tomchik, c/o Mario P. Melucci, Esq., 3265 West Liberty Avenue, Pittsburgh, PA 15216, in full settlement of the lawsuit at Civil Action No. 86-273, arising from personal injuries sustained by Domenico DePasquale while incarcerated at the City lockup at the Public Safety Building, Pgh., PA, payable from Code Account No. 46, Judgments.

Also,

No. 1758 Resolution providing for the issuance of a warrant to John P. Thornton, in the amount of \$5,000.00 in full settlement of claim for personal injury, arising from an accident suffered on Frustrum Street in the City of Pittsburgh on November 29, 1985, causing injuries to the Plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 1759 Resolution providing for the issuance of a warrant to Harold E. Evans and Jenny Evans, his wife, in the amount of \$10,000.00 in full settlement of claim for

personal injury, arising from a falldown on May 19, 1985 at Allegheny Public Square in the City of Pittsburgh, causing injuries to the Plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 1760 Resolution providing for the issuance of a \$3,089.70 warrant in favor of Joe Palmieri in settlement of claim for vehicle damage by a Water Department vehicle on October 18, 1988 at Devonshire Street, payable from Code Account No. 46, Judgments.

Also,

No. 1761 Resolution providing for the issuance of a \$1,137.27 warrant in favor of August Valente in settlement of claim for vehicle damage on September 9, 1988 by a Department of Water vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1762 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Trinity Evangelical Lutheran Church in settlement of claim for property damage on August 4, 1988 by a Emergency Medical Service vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1763 Resolution providing for the issuance of a warrant in favor of Peat Marwick Main and Company in the amount of \$34,870.00 in payment for additional work for the completion of the annual city audit for the year ending December 31, 1987, payable from Code Account

1063, Miscellaneous Services, Department of Finance.

Also,

No. 1764 Resolution providing for the transfer of \$26,000.00 from Code Account 57-1, Retirement Severance Pay-Sick Leave to Code Account 51, Postage. This transfer is necessary to cover the cost of mailing of notices to residents of the City of Pittsburgh listing the holidays during 1989 when refuse will not be picked up.

Also,

No. 1765 Resolution providing for the transfer of a total of \$800,000.00 from various code accounts. This transfer is necessary so that sufficient funds are available to issue payments to the various carriers for employee health coverage for the remainder of the year.

Also,

No. 1766 Resolution authorizing the transfer of \$200,000.00 from the JTPA-2 Trust Fund, to the General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Job Training Partnership Act Program for Fiscal Year 1988. The purpose of this legislation is to reimburse the City for Indirect Costs of the JTPA Program for Fiscal Year 1988.

Also,

No. 1767 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to defend the Petition for Attorney's Fees filed against the

City of Pittsburgh, Richard Caliguiri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et al. v. City of Pittsburgh, et al., in the United States District Court for the Western Pennsylvania at C.A. No. 86-173, at a cost not to exceed \$40,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 1768 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article III, Depositories, Chapter 221, Depositories, Chapter 221, Contracts, Section 7, Lock Box System with a bank which Council has designated as Depository, which shall deposit incoming Real Estate payments, Water Bill payments, and delinquent Sewage payments, withheld Earned Income Tax (PGH-40) payments, Mercantile Tax payments, Business Privilege Tax and Institution Service Privilege Tax into a Temporary Interest Bearing Holding Account....by adding deposits of payments for but not limited to Amusement Tax, Parking Tax, Personal Property Tax and any other Taxes, Licenses or Fees and excluding the words Active and Inactive.

Also,

No. 1769 Communication from Sophie Masloff, Mayor, requesting authorization for James Simms to attend the National Forum for Black Public Administrators Conference, in Birmingham, Alabama, April 15-20, 1989, at a cost not to exceed \$1,500.00, payable from Code Account

No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1770 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for Marcia Papst and Ron Davis to attend Honeywell Training in Operations Migration to DPS 8000, December 11-13, 1988 in Albany, New York, at a cost not to exceed \$2,234.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems. The course is specifically designed to provide an overview of the major components and system console operation. We have chosen this particular course because it is being offered as a cluster course and will offer the City a savings on the tuition cost.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 1771 Resolution providing for a Contract or Contracts, or use of existing Contracts for Renovations to Troy Hill Fire Station at a cost not to exceed \$175,000.00, chargeable to and payable from Code Account EC 88-65.  
---(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this

Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1772 Resolution  
authorizing the issuance of a  
warrant in favor of E.H. Griffith,  
Inc., in the amount of \$722.85 in  
payment for parts for an Olathe Leaf  
Blower, chargeable to and payable  
from Code Account 1806, Materials,  
in the Department of Parks and  
Recreation.

Also,

No. 1773 Resolution  
authorizing the issuance of a  
warrant in the amount of \$1,500.00  
in favor of the Greater Pittsburgh  
Convention and Visitors Bureau,  
Inc., chargeable to and payable from  
Code Account PZMTF, Pittsburgh Zoo  
Membership Trust Fund, in the  
Department of Parks and Recreation.

Also,

No. 1774 Resolution  
authorizing the issuance of a  
warrant in favor of Chujko Brothers,  
Inc., in the amount of \$975.00 in  
payment for the rental of bleachers,  
chargeable to and payable from Code  
Account 1801, Miscellaneous  
Services, in the Department of Parks  
and Recreation.

Which were severally read and  
referred to the Committee on  
Finance.

Also,

No. 1775 Communication from  
James Turner, Director, Department

of Finance, submitting a report of  
deposits and the Market Value of  
securities pledged as collateral by  
City Depositories as of October 31,  
1988.

Which was read, received and filed.

#### UNFINISHED BUSINESS

Mr. Lyons presents

No. 1711 Amendment to Rule  
VIII-A of the Rules of Council which  
will call for the consideration of a  
bill only after the 8th day  
following the meeting in which the  
bill was introduced except for  
special cases such as when a bill  
may be passed finally on the day of  
its introduction.

Which was read.

Mr. Lyons moved to approve the  
amendment.

Mr. DePasquale seconded the motion.

Mr. Coyne:

Opposed.

Mr. Pollock:

Opposed.

WHICH MOTION PREVAILED.

The Chair presents

No. 1718 Amendment to Rule VII  
of the Rules of Council which will  
call for all bills to be deposited  
to the Clerk of Council by 12:00  
noon on Friday prior to the regular  
meeting of Council with the  
exception that any member may  
present any bill or paper



notwithstanding said rule.

Which was read.

Mr. Lyons moved to approve the amendment.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Discussion. I'd like to have that explained to me.

The Chair:

It means that you must deposit any bill that you want presented on a Monday by Friday at noon in the City Clerk's Office. We have been trying to live with that and a number of members have been neglecting it, so now we're making it a rule that we're all going to live with.

Michelle Madoff:

~~I~~ I understand that part. It's the part afterwards that I don't understand, except that you can do anything you want to do.

The Chair:

Well, if it's an emergency, you know, like anything else --

Michelle Madoff:

But that's the part I didn't understand.

The Chair:

Every once in a while even someone like yourself comes in with a thought after or an emergency. You might have one and we extend that courtesy to all members of

Council. We've done it in the past and we're going to do it again. This is just making a rule of past practice.

Michelle Madoff:

I just got a phone call in my office from the Water Department that there is an emergency and they have to have a bill introduced. I don't know what it's about and they're bringing it over here right now; it's something that can't wait a week. Would that be affected?

The Chair:

No. That's a Wallace Act if it's an emergency. You know that and I know it and everybody else knows it.

WHICH MOTION PREVAILED.

#### REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1777

Report of the Committee on Finance for November 29, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1664

A Resolution entitled, "Resolution providing for the authorization and transfer of funds to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs of employees in support of the City's Community

Development Block Grant Program."

Which was read.

Also,

Bill No. 1665

A Resolution entitled, "Resolution providing for the authorization and transfer to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1675

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & W Forms,

5000 Baum Boulevard, Pittsburgh, PA 15213, in the amount of \$9,200.00 in payment for services furnished for the benefit of the City in connection with emergency purchase of customer water bills; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1678

A Resolution entitled, "Resolution Repealing Item G of Resolution No. 759-G, approved October 3, 1988, which repealed Resolution No. 384-K, approved May 5, 1986, authorizing the sale of property in the 21st Ward, being a 2 Story, Brick house, located at 1414 Adams Street, designated as Block 22-F, Lot 105,

to Linda J. Dalessandri, for the sum of \$3,000.00."

Which was read.

Also,

Bill No. 1679

A Resolution entitled, "Resolution Repealing Resolution No. 838, Item H, approved October 28, 1988, which authorized the sale of property in the 21st Ward, being a vacant lot, located at 1100 Bidwell Street, designated as Block 22-R, Lot 181 to Paul Rosul, for the sum of \$350.00."

Which was read.

Also,

Bill No. 1680

A Resolution entitled, "Resolution amending Resolution No. 25, Item H, approved February 2, 1988, which authorized the sale of property in the 25th Ward, being a vacant lot located at 1914 Rear Buena Vista Street, designated as Block 23-A, Lot 178 to Ernest Simon and George Bromall II, for the sum of \$500.00."

Which was read.

Also,

Bill No. 1681

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1688

A Resolution entitled, "Resolution transferring the aggregate sum of \$71,000.00 within various accounts in the Department of Parks and Recreation."

Which was read.

Mr. Pollock:

Mr. President, on Bill No. 1688 I move to amend by deleting the amount of \$71,000 and increasing the amount to \$81,000.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

Bill No. 1689

A Resolution entitled, "Resolution transferring the amount of \$79,307.21 from Code Account SSFSP, Special Summer Food Service Program, Index Code 270256, to Code Account SPP, Special Park Programs, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1690

A Resolution entitled, "Resolution authorizing the transfer of funds from Code Account 1853, Index Code 185306, Utilities, in the amount of Ten Thousand (\$10,000.00) Dollars to Code Account 1851-1, Index Code 185116, Premium Pay, in the Department of Parks and Recreation, all within the Pittsburgh Zoo."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
| Mr. Lyons      | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1778

Report of the Committee on Public Works for November 29, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1662

A Resolution entitled, "Resolution accepting the grading, paving, curbing and sewers on certain street on the Broadhead Manor Plan PA-1-6, also known as Drawing No. 8405-04 Pages 1 thru 38 in the 28th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1663

A Resolution entitled, "Resolution granting unto Esther Bordt and Thomas Rhall, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an off-street parking area over a portion of the unopened right of way of Oakdale Street in the 27th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1779

Report of the Committee on Planning, Housing and Development for November 29, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1666

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the 3rd Year of the Mainstreet Redevelopment Program at a cost not to exceed \$16,250.00."

Which was read.

Also,

Bill No. 1667

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 1668

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties for \$100.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 1669

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of certain properties in the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1670

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th Ward of the City of Pittsburgh, designated as Block and Lot 32-B-314 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1671

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 13th Ward of the City of Pittsburgh, designated as Block and Lot 231-E-87 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1672

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 5th Ward of the City of Pittsburgh, designated as Block and Lot 10-F-94 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1780

Report of the Committee on General Services for November 29, 1988 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1646

A Resolution entitled, "Resolution further amending Resolution No. 80, effective February 29, 1988, entitled: 'That the Director of the Department of General Services be and is hereby authorized to enter into an Agreement or Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1988 until December 31, 1988, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof,' not to exceed Seventeen Thousand Five Hundred (\$17,500) Dollars. Funds are available in Code Account 1134, Index Code 113407, Miscellaneous Services, Department of General Services."

Which was read.

Also,

Bill No. 1647

A Resolution entitled, "Resolution providing for an Agreement of Lease with Calvary Communications, Inc. William A. Yocum, President, of a radio tower and equipment building serving same, in order to enhance radio coverage for the City's Radio

System, and for the maintenance of one or more transmitters and receivers and related trade fixtures, machinery and equipment, with a provision for a term of three successive years, at an approximate increase of five (5%) percent, ending on December 31, 1991, with the City having the right to extend said Lease for three successive years, or to terminate said Lease at end of any fiscal year as provided in the Lease Agreement, and providing for the payment thereof."

Which was read.

Mr. Ferlo:

Mr. President, I would like my comments brought forward on Bill Nos. 1646 and 1647.

(REMARKS ON FOLLOWING PAGES)

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(MR. FERLO'S COMMENTS ON BILL NO. 1646 - Wednesday, 11/29/88)

Mr. Ferlo:

If I understand this correctly, is this a continual contract you have with the University, and we keep amending it for the \$17,500.00 each calendar year?

Ms. Botsford:

Yes.

Mr. Ferlo:

And there are two projects. Recently I communicated to you regarding the possibility of a co-generation project with Equitable Gas. Is that something that this person could work on?

Ms. Botsford:

This person would be involved in that, yes; the energy engineer on my staff and the intern, whoever that might be, because it does vary according to the semester schedule at Pitt. They would be working on that, yes, and we have talked with them about that.

Mr. Ferlo:

Some time ago, Council expressed a concern about the significant amount of savings the School Board has experienced with bulk purchasing of fuel, and I was wondering is that something that --

Ms. Botsford:

We had had a consultant on board to study that proposal, and when I present my budget to you, and if you have looked at my budget, you will see an as-needed position in there to -- and that is an Engineer Tech II, I believe, and we are looking at adding a fulltime person to our staff to handle the natural gas purchases.

Mr. Ferlo:

I notice that in the overall budget, especially in Public Works and some of the other departments, there are increased amounts for utilities, and I was wondering. I thought we already expended monies for a contract on studying the issue of bulk purchasing of natural gas, electricity?



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Ms. Botsford:

We did get a consultant on board, and we do have one on board right now. The original recommendation was that we not purchase natural gas in the open market. There have been some changes in the natural gas market that make it much more attractive now for us to purchase gas, and we do believe we will be doing that in 1989.

As of yet, we can't predict exactly what those savings would be to decrease those utilities accounts, but we very well may see some substantial decreases in 1989, but I can't predict that right now.

(END OF REMARKS)

Gloria J. Bors, Stenotype Reporter

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(MR. FERLO'S REMARKS ON BILL NO. 1647 - WEDNESDAY, 11/29/88)

Mr. Ferlo:

Discussion. What is this for?

Ms. Botsford:

This is to rent space on a radio tower. We currently have some areas --

Mr. Ferlo:

This is for the 48 channel --

Ms. Botsford:

Yes. We have had an ongoing coverage problem with certain sections of the City, specifically the Hays area, the south eastern corner of the City. There is a tower at Calvary on which we can rent space. If we add that to our system, we will have as close to 100 percent coverage as we can possibly get, and this is for the Public Safety radio system.

Mr. Ferlo:

So, this isn't the only tower. This is part of an overall system?

Ms. Botsford:

That is correct. This is an additional tower space for the City. We have towers throughout the whole City, some of which we own, but in this particular instance, as opposed to spending \$250,000.00 to construct a radio tower, we are going to rent space on an existing tower for \$8,100.00 a year.

(deleted context)

Mr. Ferlo:

Would that include also the radios used inside a structure?

Ms. Botsford:

Yes. That's one of the major reasons we are doing this, yes.

(END OF REMARKS)

Gloria J. Bors, Stenotype Reporter

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 1781

Report of the Committee on Parks and Recreation for November 29, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1395

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various performers, instructors, artists and other

persons with specialized skills in connection with the Department's various recreational and instructional programs."

Which was read.

**Mr. Ferlo:**

I just want to point out, Mr. Chairman, that we did ask for additional information in regards to this bill. I haven't received it and I'm going to be voting no.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. DePasquale  | Mr. Pollock      |
| Mr. Lyons       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

AYES 6 NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

What I want to do is get some direction from you. Do you want to put this through as a Wallace Act or do you want to waive Rule 8?

**The Chair:**

We'll take it now.

**Michelle Madoff:**

It's an emergency.

**Mr. Pollock:**

Point of Order. We could actually vote on it today for a final vote. There's a Charter provision for actually voting --

**Michelle Madoff:**

Can I just check to make sure --

**The Chair:**

Wait a minute. I'm running this meeting and there will be no talking back and forth. We're going to introduce the bill and waive Rule 8 and if that department needs the money that fast, please send up a letter and we will get five signatures. And from now on, please, direct the questions to me. There will be no more back and forth.

**Michelle Madoff presents**

No. 1776 Resolution transferring \$50,000 from Code Account 1926, Municipal Obligations, for non-City water agencies to Code Account 1981, Premium Pay, Distribution Division, Department of Water.

Which was read.

**Michelle Madoff:**

Mr. President and members of Council, I just received a call a

few minutes ago asking me to wait for this bill to come over. It's an emergency in that there have been an unexpected number of leaks and because of the leaks there was overtime and they need to transfer money to pay the bills. Whatever the pleasure is of Council.

**The Chair:**

Suspend Rule 8.

**Michelle Madoff:**

I will suspend Rule 8 but can they still introduce a Wallace Act even though we suspend Rule 8?

**The Chair:**

With five signatures.

Is there a second?

**Mr. Wagner** seconded the motion.

**Mr. Ferlo:**

Mr. President, on the motion. I have no problem, obviously, waiving the Rules of Council to entertain the introduction of the bill. But I don't see why this is any different than hundreds of bills that we waive Rule 8 on and seek an interim approval on, for one.

Two, I think if there sits an unusual situation, I would at least ask that we have a formal letter from the Mayor regarding this issue.

**Michelle Madoff:**

Excuse me, Mr. President. There is a letter attached to the bill explaining exactly what happened. It was just delivered one minute ago. I'm sorry.

Mr. Ferlo:

Point of Clarification, Mr. President. If this has been introduced today, as it has been, and we waive Rule 8 and vote on it Wednesday, there's nothing that says we can't sign an interim approval. So why are we setting up a different precedent?

The Chair:

We're not. We're introducing and we're waiving Rule 8 and if it's that much of an emergency and it is accompanied by a letter, that director will get a letter up here and we will sign interim approval and there will be no problem. That's exactly what I said.

Mr. Ferlo:

So we're voting on receiving the bill?

The Chair:

Right. All this fuss over nothing. We're just voting on waiving Rule 8 and we'll discuss the legislation on Wednesday.

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Wagner:

Mr. President and members of Council, I'd like to make a motion to televise the meeting, the tax reform briefing, that Council will receive tomorrow at 4 p.m. because it ties in to the budget. The briefing will be given by Chuck Kolling, our legislative consultant in Harrisburg, and also Mr. Turner, Mr. Sciortino, and someone from the

Mayor's Office.

Michelle Madoff seconded the motion.

The Chair:

I would have to speak against this. You vote the way you want but I think it's going to lead into post agendas. We have a strict rule in here and this is just like a post agenda and we're not going to televise post agendas. And believe me, I know what I'm talking about and, I agree, it could be an important meeting with this tax thing. The media is going to be here and I think that's the way it should be covered. If you do this this time, believe me, ladies and gentlemen, you're going to end up with every post agenda being televised, and you know how many of them we have, and every one of us that want to get our faces on the tube, it's election time, and I don't mean this is the reason so everyone understand what I'm saying, but it's coming up and it's going to get way out of hand. I'm asking you not to vote in favor of this motion. We have enough burden the way it is and that's just my opinion and I hope you respect it because I respect yours.

Mr. Ferlo:

I beg to differ with you, Mr. President. First of all, Councilmembers don't need any excuse to get on the media. Unlike any other legislative branch of government locally, we have a media at bay here. No other legislative branch --

The Chair:

Can I just interrupt you here

for one second? I didn't mean that to be derogatory.

**Mr. Ferlo:**

I understand but I think there's a basic fallacy in what you're saying in that we can, depending on how long we want to talk about a given bill or what point we want to express, on a Monday or a Wednesday session we have hours, six, seven, eight hours worth of time each week on the City cable. It is my opinion, and I submitted a bill earlier this year believing that all post agendas should be televised. But certainly on this one time, given the subject matter, I would support the request by Mr. Wagner. I think it's an important City issue that all the City residents would like to better understand and I see no problem whatsoever with wanting to televise this post agenda.

**Michelle Madoff:**

With all due respect, Mr. Woods, I think there's some validity to what you say but it does open up the opportunity to people to say well, what about this, what about the other thing. But this is of such magnitude and of such importance to the whole community that I think it's important that we hear from Mr. Kolling directly, not through interpretations of members of Council or any media as they see whatever session they think is important to relate to the public. Let the public hear for themselves and make their own judgment.

**Mr. Wagner:**

Mr. President and members of Council, if the meeting is

televised, I think it becomes more informative to the public and that's really the reason for my request. Tax reform has been on the table, has been an issue for almost two years. And really, it has never truly been discussed here in this Council except for us talking back and forth about the need for it. Now that it has occurred, I think it's important for the taxpayers of the City of Pittsburgh to know what impact it has on them.

I also believe that it ties in somewhat to the budget process. There have been some things written in the media about tax reform and it's impact on the City of Pittsburgh that are not totally accurate. The public may believe that certain aspects of tax reform will impact them immediately and to a greater degree than it really will. All I have done is requested that our consultant that we pay from this Council come and brief us tomorrow. The Administration has requested that they be part of it also. I believe it will give us a better understanding of the 1989 budget process if we know completely what has been passed as part of tax reform legislation.

So, either way, I think the meeting is important. To televise it, I think, would be an advantage because it would let the taxpayers know the impact of tax reform also.

**Mr. Pollock:**

I think that you're completely accurate, Mr. Woods, in that as May of 1989 approaches there will be motions to televise every time someone wants to have some free air time. I couldn't disagree.

The other point that I wanted to make, and I've raised this several times before, is that this Council continually shows utter disdain for not only the Cable Bureau but for other departments as well. They have schedules set up far in advance and for them to have to rearrange their schedule, they only have a certain number of individuals there and we have no way of knowing whether or not they're available tomorrow to televise something that wasn't on the schedule. Clearly, they are here for budget, but I don't know if they have something else after that or not. I think that we are no greater or no lesser than any other group of employees of the City of Pittsburgh and I think that they deserve respect to have a schedule known to them in advance so as to perform their duties better, the way we would want our schedule performed with reasonable notice.

#### The Chair:

I'd like to add one other thing. None of us here, to my knowledge, know everything about this tax reform. We haven't gone over the bill totally. And before I meet with anybody to discuss this bill, especially on television, I want to know what I'm talking about because I happen to be one of the people that do not agree with tax reform. So, when I sit down at the table with whoever agrees or whoever wrote up this bill, I want to have the facts that I want to discuss there. I don't want to look like a fool.

Secondly, and as acting-President of Council, one of my duties is to set the time and the places of the meetings for this

body. It's never been discussed with me to have Mr. Kolling come in here to discuss it. Therefore, there isn't a meeting. If you want to meet in the Mayor's Office with the Administration and Mr. Kolling, that's fine. But in this body, any meeting, and you all voted for me and you know what the Rules of Council say, I set the times and the places and who we meet with. And if you recall, Mr. Pollock, you wanted to televise a meeting one evening and I wouldn't do it. Therefore, there is no meeting. And I hate to do that to you, I respect all of you, but that's my decision.

#### Michelle Madoff:

Mr. Woods, if we were to stick to the rules of this Council, a number of us wouldn't be discriminated against.

The issue is very simple. This is one of the most important budgetary matters confronting this City and we are in the process of budget which today, according to the people I'm talking to in the street, find very, very boring. So boring that the media and half of Council doesn't come because most of the information we know about and we've heard about for the number of years we've been here. But this is new, it's important, it's informative, and you are right, whether somebody scheduled a hearing without checking with you, and that is improper, but it should not be "I'll punish you because you didn't come to me" and I don't think that's what you're saying. But to deny the public the opportunity to hear from Mr. Kolling, to be briefed, not to discuss with him, necessarily, but to be briefed on the magnitude of tax reform, to me, would be very

inappropriate and would not serve the public well. I think the public has the right to hear everything Mr. Kolling has to say.

**The Chair:**

I just want to say something. This bill just passed, less than a week ago, on Friday. Mr. Kolling doesn't even know what it all means. They're going to have public hearings all over this state or the county affecting this bill. This bill won't even take effect for two years. We are jumping into something in a matter of three days after a bill passed Harrisburg that we can't even act on for two years. It is totally -- We shouldn't even have this meeting. Let's wait until everyone has their facts in line. I'll bet you Mr. Kolling doesn't have every fact in line on this bill. The sponsor of the bill probably doesn't have it, and we in City Council in the City of Pittsburgh are going to debate this bill for another 129 municipalities in the county. We don't know what we're talking about. He doesn't, and the person that sponsored it, I'll lay you money, is not going to be here or their staff. If we want to do this, let's do it right. The bill just passed and will be here for two years before we in Allegheny County even vote on this thing.

**Mr. DePasquale:**

Point of Order, Mr. Chairman. It's immaterial to me whether you televise this meeting or not. But I do think that in regards to the Finance Chairman, it's always been a prerogative down through the years for the Finance Chairman to schedule speakers or to arrange meetings at

budget time.

**The Chair:**

If it has something to do with the budget. This has nothing to do with the budget, Mr. DePasquale.

**Mr. Wagner:**

Mr. President, your original comment, you are the President and you set hearings and you're accurate. And, if you remember, I nominated you as President Pro-tem and you appointed me as the Finance Chairman. Many times before that you and I disagreed and we're disagreeing today, and respectfully disagreeing, and I think that's very healthy. But the reason why I scheduled this not as a hearing, and it really isn't a hearing because there's no one testifying as part of any testimony here except someone reporting, is simply to give all of us a better understanding of what is proposed at the state level which may or may not have an impact on the 1989 budget. Now if everyone has said that it doesn't not have an impact, and it may not, but at the very least, our planning process, when it comes to finance and budgeting, can be better prepared not only for us but for our staff, our budget staff, etc., if we know as much about tax reform as possible. I do not want this to end up being a debate; that's not my desire. It's only to let them tell us what they know about tax reform, with no one reporting in terms of testifying from the public or anyone else. Simply those people of which we fund, this Council funds Mr. Kolling and we fund the administrative positions of the people that would come here and discuss this issue. True, it is



unusual, and I admit that. And true, we do differ. But it does relate directly to the budget process and even if all of you don't want to be here tomorrow at 4:00, and even if it's not televised over cable, I want all of you to know, as Finance Chairman I'll be here. I want to hear what tax reform is saying to the City of Pittsburgh, what it does and what it doesn't do.

Mr. Ferlo:

Mr. Woods and members of Council, I'm a little bit disappointed at what I've been hearing in the last few speakers. This isn't typical of most post agendas which deal, often times, with some adversary role that Council is playing with a particular department or, often times, Council intervening in some dispute or some problem, or Council just finding out generally what some department is involved in administratively. This, however, I think directly, as well as indirectly, has to do with the '89 budget, both short and long term range planning points of view.

I'm a little bit disappointed in my colleague, Mr. Pollock, who as a candidate for office originally, running as a liberal democratic activist like myself, talked about many lofty ideas such as citizen input, citizen participation, having a van going around, increasing the public's right to know and have knowledge of the proceedings of Council, evening meetings. This is certainly in a similar vein, publicizing and televising this important tax hearing which I think directly has to do with the '89 and future operating budgets.

And while it may be true that

every single question and answer cannot be determined during the course of the interview with the Mayor's people and Mr. Kolling, I think the public would like to learn better, and I'm sure we would all like to learn better, the impact of exactly what happened last week in Harrisburg. I don't see this as a regular post agenda. If you read the Home Rule Charter in the Commentary, part of our responsibility as legislators is to look ahead and deal with future crises and future problems that City residents and the municipal government must face in the coming year. It encourages this Council to help set a dialogue and educate City residents and I think televising the public meeting can more than adequately be done by a Cable Bureau that has over \$1 million in a trust fund and can well afford to spend money on many other things other than paying overtime to its workers.

So that's a ridiculous issue to raise and I would hope that Mr. Pollock would not be petty and vote against this only because Mr. Wagner introduced it. Let's rise above that. This is an important debate. We have an opportunity to educate our constituents, even the constituents in Squirrel Hill and Shadyside and in Bloomfield where Mr. Pollock will be running next year.

Mr. DePasquale:

Mr. Chairman, please. No personal remarks.

The Chair:

That's right. We're getting person.

Mr. Ferlo:

I'm not being personal, Mr. Chairman; I'm trying to wage a debate on the need for Councilmembers to be consistent in their positions.

The Chair:

You stated your position; great. What I'm saying here, if we're going to do this, and I mean it, as acting President Pro tem of this Council, Mr. Wagner should have come to me and requested an official meeting. I'm stating that as a fact. Now, if you want to have Mr. Coyne and me and you, Mr. Wagner, who I respect, you're my friend, get together and we set something up next week or something, fine, so that I have some facts and when I come to this table I can discuss it. But I want to conduct it as a regular public hearing. Let them stand up and take the podium; let us ask our questions. We'll give ourselves enough time but we're not going to do it tomorrow and I'm cutting off debate on that issue as the President of this Council.

Mr. DePasquale:

Question called for.

The Chair:

We're not calling the question because we're not having the meeting.

Mr. Ferlo:

Point of Order, Mr. Chairman. I appreciate your leadership that you're showing here in wanting to set the law, and I have no problem with that. You have just offered a

very constructive --

The Chair:

I will and I asked Mr. Wagner

Mr. Ferlo:

Mr. Chairman, will you let me finish my point? You have offered a very constructive idea and that is that it be a formal public hearing which you would share and I don't see why that's any problem. I would like to see if Mr. Wagner would withdraw his motion for that compromise you've offered which I think is very constructive.

Mr. Wagner:

The important point here, Mr. President, is not what I want or what you want. It is that we have a tax reform briefing prior to us voting on the budget. That's the important item. And if it's a briefing in the form of an informal briefing or it's a public hearing, it doesn't matter to me. However, we are going to take a preliminary vote a week from Thursday on the budget, of which I intend to keep that schedule, and I would like to see us have a briefing or a public hearing at any time for this Council by Mr. Kolling and the appropriate members of the Administration, but not necessarily the public because the public, this really isn't a public issue yet; it's still a budgetary issue and I would like that to happen.

The Chair:

I promise you, Jack, you and I will sit down right after this meeting or the first thing in the

morning and we'll work it out and get the proper time and date in enough time before we vote next Thursday.

Mr. Wagner:

Good.

Mr. Ferlo:

Is he withdrawing his motion?

The Chair:

Right.

Mr. Pollock:

I just wanted to respond to one point. I have been totally consistent on my position on this. I did make a motion when I first came on Council to televise public hearings in the neighborhoods; you did not even entertain that motion. But I have consistently, in my three years on Council, voted against any attempts to have people put things on television for personal aggrandizement and to televise anything besides public hearings and our regular sessions. And I think as you made the point, and you've been here far longer than I and you know these people as well or better than I do, that once you open that box there's going to be everything in the world coming out and it's going to be on television. That's not what this Council is for and that's not what our Cable Bureau is for. If people want to have their face on the television, then they can purchase air time.

The second point I want to raise, and I think that Mr. Ferlo's remarks about me indicates more

about other Councilmembers than myself, I represent all of the people of Pittsburgh; I don't represent any district. If Mr. Ferlo represents a district, that's his problem. But I represent the people of the entire City, not any particular neighborhood.

Michelle Madoff:

Mr. President, on another subject. I'm sure that if my office is getting swamped by these calls you're all getting them; the problem with the billing going back over the years on the sewage treatment plant. Are all my of my colleagues getting calls? There are hundreds of people calling the City and a lot of them calling my office; I just assumed they were calling all the other members of Council.

It seems that the Treasurer's Office has decided to go back after old Alcosan bills and they're billing people who feel that they've been paying their bills; they got their bill and they paid it. A lot of them are coming in to my office, going down to the Treasurer's Office, Betty Goldberg's office, and they say, "I'm too tired, I'm too ill, I can't fight it, I'm paying my \$13." Some of them are in excess of that; some are less.

I don't know what happened but I sure would like to find out. I've got a call in to the department; we finally located that it was not water but it was sewage bills, and if anybody has any light to shed on it, I would appreciate it. But I would appreciate it if Mike Perry would ask Betty Goldberg and the Alcosan Board and maybe our colleague on Council to find out what has happened and to brief this

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Council so we can advise people calling us.

It's a massive delinquency collection. People who have called me said they paid their bills. I don't know what's going on.

Mr. Pollock moved to approve the Minutes of Monday, November 21, 1988.

Mr. Lyons seconded the motion.

Which motion prevailed.

And on the motion of Mr. Pollock

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, December 12, 1988

No. 48

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA  
Monday, December 12, 1988

#### PRESENT:

|                |                 |
|----------------|-----------------|
| Mr. Coyne      | Michelle Madoff |
| Mr. DePasquale | Mr. Pollock     |
| Mr. Ferlo      | Mr. Wagner      |
| Mr. Lyons      | Mr. Woods       |

(Pres't Pro tem)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Pollock presents

No. 1799 WHEREAS, on December 1, 1941, a week before Pearl Harbor, Fiorello H. LaGuardia, Director of the Office of Civilian Defense and

former Mayor of New York, signed a formal order, under presidential Executive Authority, creating the Civil Air Patrol; and

WHEREAS, the Civil Air Patrol was established so that general aviation enthusiasts could contribute their time and their own light aircraft into a unified national defense system; and

WHEREAS, in 1946, Congress, recognizing the value of the Civil Air Patrol to the nation's defense, chartered it as a volunteer, non-profit organization; and

WHEREAS, since that time, CAP has been devoted to air search and rescue, and other emergency service activities during local or national emergencies, to a program of aerospace education, seeking to promote America's supremacy in aviation and the aerospace sciences, and to a cadet program through which it seeks to train young Americans in the principles of leadership and to motivate them to careers in aviation or the space sciences; and

WHEREAS, the Pittsburgh Chapter of the Civil Air Patrol, Squadron 601, will join its fellow flight enthusiasts in celebrating the 46th Anniversary of the organization's founding.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks and commends the

Civil Air Patrol for its ongoing dedication to our Country and our young people; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares the week of December 12 through December 19, 1988 as "CIVIL AIR PATROL WEEK" in Pittsburgh.

Mr. Pofflock moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Pollock:

With me today are Major Gallagher and Lieutenant Schneider of the Civil Air Patrol who will receive this resolution and make a few comments.

Major Gallagher:

On behalf of the Civil Air Patrol I'd like to extend our thanks and appreciation to the City of Pittsburgh for granting us this recognition and honoring us today. I especially want to thank Mr. Pollock and all the members of City Council for their efforts in making this possible. Thank you.

Lieutenant Schneider:

I can't add too much to what Major Gallagher said but I would like to dedicate this resolution to our members who were killed in the line of duty this past year. We had four persons, I think it was three men and one woman, who were killed in plane crashes while on search and rescue missions. I'd like to dedicate this resolution to them.

Thank you.

The Chair:

Thank you.

Mr. Lyons presents

No. 1800 WHEREAS, Julius Erving II, otherwise known in the sports world as "Dr. J.", was born on February 20, 1950; and

WHEREAS, Dr. J. is a man who has emerged through a prolific career as an exciting and spectacular athlete, basketball star and businessman; and

WHEREAS, from the beginning, playing with his first team at the Salvation Army of Hempstead through Roosevelt Jr. High, Roosevelt High, the University of Massachusetts and onto the Virginia Squires and New Jersey Nets of the NBA and concluding with a dynamic and fabulous career with the Philadelphia 76ers; Dr. J. has become one of the game's greatest players and ambassadors; and

WHEREAS, Dr. J. is in Pittsburgh this week to attend a dinner being given by the Champions Association Inc. in honor of the Olympians; and

WHEREAS, Dr. J. has been chosen to be the key speaker of this event, whose theme this year is "Just Say No To Drugs".

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby acknowledges the contributions and accomplishments of Julius Winfield Erving II, better known today as Dr. J., an outstanding athlete, and

hereby proclaims Friday, December 9, 1988 as Dr. J. Day in the City of Pittsburgh.

Mr. Lyons moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 1786 Resolution amending Resolution No. 187 of 1983 entitled: "Establishing an Animal Control and Animal Welfare Trust Fund," by including as allowable expenses "miscellaneous services, supplies, materials, repairs and equipment related to Animal Control" to be paid out of the Trust Fund.  
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Works.

Mr. Wagner presented

No. 1787 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.09, Advance of Expenses. --- (SPONSORED BY MR. WAGNER)

Also,

No. 1788 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.07, Approval of Bills for travel expenses, by changing "Approval of Bills for Travel Expenses" to "Department of Head's Approval for Travel". --- (SPONSORED BY MR. WAGNER)

Also,

No. 1789 Resolution Repealing Resolutions, approved on various dates for sale of properties in various Wards of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 1790 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1791 Resolution providing for the issuance of a warrant in favor of NBI in the amount of \$1,071.25 for the purchase of Fonts for the laser printer in the City Clerk's Office, chargeable to and payable from Code Account 1005, Supplies, City Clerk's Office. --- (SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

Also,

No. 1792 Communication from Thomas Flaherty, City Controller, submitting the City of Pittsburgh Net Debt and Remaining Debt Incurring Margin in Accordance with Act No. 52, Approved April 28, 1978, "Local Government Unit Debt Act" Prepared as of October 31, 1988.

Which was read, received and filed.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

#### UNFINISHED BUSINESS

The Chair presents

No. 1793 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 1308, which changes the classification of Operations Coordinator, Chief Inspector and Contract Supervisor, City Controller's Office, from "career" to "non-career".

Which was read.

Mr. Ferlo moved to override the veto.

Mr. Coyne seconded the motion.

Michelle Madoff:

Mr. President, I just want to be clear. The motion to override would be to vote in favor of the Controller's Office to have the ability to hire whomever they want for their own staff without subject to Civil Service. Is that correct?

The Chair:

No. These three positions would be exempt from Civil Service.

Michelle Madoff:

That's what I just said.

The Chair:

Not all his staff, just these three positions.

Michelle Madoff:

May I address that issue, please?

The Chair:

Yes.

Michelle Madoff:

As you may recall, just about a year ago at budget time there was a proposed cut by the Administration in Mr. Flaherty's department, the Controller's department. I met with the Controller and we met at this table behind us and I urged the hiring of some real professionals, auditors, accountants, and I believe we cut from 106 back to 96 and if those positions were not filled with professionals and a commitment to higher accounts, we were going to cut back to 88. I supported and encouraged the Controller to commit himself to hiring comptrollers, the people who could do the professional kind of accounting, so that I could vote for at least maintaining the 96 jobs.

I felt at that time, or I was given to understand, that indeed that office would be professionalized with professional accountants. It appears that was not the case. The budget for the Controller's Office is voluminous. There is no reason in the world why that accountant's office should not



revamp, get rid of some of the people who just walk around doing nothing, and start to hire some really professional accountants to service the City. At that point, should the Controller come back and say he would like to have whatever people he needs, if he could justify them, I would vote for them. But in light of the demonstration between last year and this year, hiring the professional accountants, having an accounting firm brought aboard, they've not done any of that, I just believe that we ought to send a very strong message that we cannot tolerate that any longer.

**The Chair:**

I believe that the time you're talking about was two budgets ago when we made all the cuts in the Controller's Office. This past budget time is when we made the positions, not only in his office but in our office, other than our own personal administrative assistants and, of course, the City Clerk's position, Civil Service. When he made all the cuts in his office, it was in the year of the 1987 budget; we voted on it in 1986. This past budget was the year that we made it under Civil Service.

**Mr. Coyne:**

Mr. President, just philosophically speaking, I think that we need to override this veto. There comes a time when all parts of government must be able to interact independently of one another and personalities aside and be whatever drawbacks Mr. Flaherty may have or grudges or whatever people want to do back and forth as always goes on around here, just for the sake of good government I think

that the City Controller needs to be able to have a personal staff that he or she, if it were a woman, would be able to count on and would be able to use in advisory roles, not only in the role of the Controller's Office but in the political dealings that come and go with that office. So, therefore, just out of the essence of good government, I think it's important that these positions be created as exempt from Civil Service and I would urge my colleagues to vote to override the veto.

**Mr. Ferlo:**

Mr. Chairman, I think we should override the veto but I think, more importantly, we should be fair to another independent branch of government and that's the Office of the City Controller. I will remind my colleagues that a majority of Councilmembers expressed their initial support for this legislation. I think it's unfortunate that this is getting bogged down to be a political interpretation of the performance of the Controller and his staff as opposed to what the bill was originally intended.

I'll remind my colleagues that this is the only department where the on-line administrators are not permitted to be hired by the chief administrator, in this case, an independently elected official, Mr. Flaherty.

I don't want to get bogged down in the Mayoral race and I think, unfortunately, that that issue, as well as other political issues that have come up over the last few months, is distorting some of the vision here today on what the actual

principal here is.

But I think more importantly, and I have to agree with my colleague, Michelle, on her first point, that there is a need to bring on on-line professional staff and it's for that reason that I think we should override the veto because my sense of the hiring procedure under the Personnel and Civil Service is one that will not permit the Controller to move swiftly in hiring professionals in these three, and we're only talking about three particular positions.

Again, this original ordinance that we're going to pass included several other positions and, at that time, the Administration supported the resolution that Council actually modified to only include three positions. So I think the Administration started out in good faith negotiating with the Controller. We are a third party; we acted in good faith by only agreeing to exempt three positions. I really don't want to get bogged down in the political battles of City Hall; there's other forums and opportunities that we have to do that. But the most important issue is, what can we do to expedite the hiring of professional people in these three positions and in that respect I would ask my colleagues to join in overriding the veto.

**The Chair:**

I would ask, and I'll speak once, to override the veto also. Everyone knows in this room, in this City, that Mr. Flaherty and I are not the best of political friends; he's not one of my favorite people and I'm sure I'm not one of his.

But I do believe you should hire your top echelon; they should come and go with you. They should not be bogged down with Civil Service. When this bill originally came out, and I believe Councilman O'Malley at the time proposed it, I voted against it then and I vote against it now. I believe it's just like my personal staff; I hire them. When I leave this job, they serve at my will and I believe that's the way it should be. I believe that's the way it should be in the Mayor's Office and I believe that's the way it should be in the Controller's Office. The top echelon people, the top people, just like all the Mayor's directors, serve at the Mayor's whim. And that's exactly what these positions are and they should serve at the Controller's whim and I would urge you to override this veto.

**Michelle Madoff:**

Mr. President and members of Council, in, if you could just say principle, that would naturally follow that that's the way it should be. You say it wasn't last year, it was the year before, and I'll accept your memory for being better than mine. But I recall saying to the Controller, and I just verified, the Controller's budget office has a budget of just under \$2.5 million. With \$2.4 million, there is no reason on earth why that department has not had an accountant, somebody come in from an accounting firm, and professionalize that office. And if that is done, the Controller can come back -- Unlike you, I like Tom Flaherty and I'd rather have him than Lucchino, if you want to talk about politics. But in principle, I cannot support what is going on and the lack of professionalism in that

office. Mr. Flaherty could turn around, go out and hire an accountant, hire an accounting firm and make that office with \$2.4 million efficient. Then come back to us and I'll give him ten people he can exempt. But I'm going to vote no at this point.

Mr. Ferlo:

Mr. Chairman, it's obvious that we do not have the votes to override the veto. But I do want to point out on the other hand that if that is the case, as I believe it will be, that we should be resolute in our commitment to make sure that Personnel immediately begin the hiring process of those positions.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|           |           |
|-----------|-----------|
| Mr. Coyne | Mr. Woods |
| Mr. Ferlo | (Pres't)  |

|      |   |      |   |
|------|---|------|---|
| AYES | 3 | NOES | 5 |
|------|---|------|---|

VOTING NO:

|                 |             |
|-----------------|-------------|
| Mr. DePasquale  | Mr. Pollock |
| Mr. Lyons       | Mr. Wagner  |
| Michelle Madoff |             |

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

## REPORTS OF COMMITTEES

Mr. Wagner presented

Bill No. 1794

Report of the Committee on Finance for December 7, 1988 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1676

A Resolution entitled, "Resolution providing for the issuance of a \$1,608.00 warrant in favor of Browns Hill Bible Chapel in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1677

A Resolution entitled, "Resolution providing for the issuance of a \$1,176.00 warrant in favor of Marshall P. and Wallis Katz in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1714

A Resolution entitled, "Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program

share of the statewide on-line computer system cost for the period July 1, 1988 through June 30, 1989. The total of the warrants will not exceed thirty-five thousand seven hundred ninety-four dollars (\$35,794.00)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1715

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as Depositories for the year 1989 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 1737

A Resolution entitled, "Resolution transferring the sum of one hundred and twenty-five thousand dollars (\$125,000.00) from Code Account 1461-1, Index Code (146118), Premium Pay, Bureau of Fire to Code Account (1443-4), Index Code (144345), Premium Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover premium pay for the remainder of 1988."

Which was read.

Also,

Bill No. 1738

A Resolution entitled, "Resolution transferring the sum of twenty thousand dollars (\$20,000.00) from Code Account (1461-1), Index Code (146118), Premium Pay, Bureau of Fire to Code Account (1421), Index Code (142109), Miscellaneous Services, Bureau of Emergency Medical Services, Department of Public Safety. This transfer is necessary to cover expenses for the remainder of 1988."

Which was read.

Also,

Bill No. 1739

A Resolution entitled, "Resolution transferring the sum of twenty-four thousand dollars (\$24,000.00) from Code Account (1405), Index Code (140509), Equipment to Code Account (1401), Index Code (140103), Miscellaneous Services, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover towing charges for the

remainder of 1988."

Which was read.

Also,

Bill No. 1776

A Resolution entitled, "Resolution providing for the transfer of \$50,000.00 from Code Account 1926, (192609), Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981 (198101), Premium Pay Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1755

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain Delinquent Earned Income and Home Rule Taxes." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. Ferlo            Mr. Wagner  
Mr. Lyons            Mr. Woods  
Michelle Madoff      (Pres't Pro tem)

AYES 7            NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1756

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various laboratories for professional services in connection with the administration and evaluation of drug and/or alcohol laboratory tests required by the City of Pittsburgh medical examinations program for employment examinations as determined by the Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale      Mr. Wagner  
Mr. Lyons            Mr. Woods  
Michelle Madoff      (Pres't Pro tem)

AYES 7            NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative,

the bill passed finally.

Mr. Ferlo presented

Bill No. 1795

Report of the Committee on Public Works for December 7, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1708

A Resolution entitled, "Resolution granting unto Equitable Gas Company, 420 Boulevard of the Allies, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of the Boulevard of the Allies in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1709

A Resolution entitled, "Resolution granting unto James V. Roberto, 73 Marion Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway and sideyard on a portion of the right of way of an unnamed way in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1710

A Resolution entitled, "Resolution granting unto Pittsburgh Home Savings and Loan Association, 438 Wood Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk and hatch doors in a portion of the sidewalk of Wood Street in the 1st Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1796

Report of the Committee on Planning, Housing and Development for December 7, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1712

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Forbes Trail Development Company and/or Moose Medical Associates for the sale of Block 23L Lot 101 in the 22nd Ward of the City of Pittsburgh (COMMERCIAL REHABILITATION)."

Which was read.

Mr. Ferlo:

Mr. Chairman, if this bill is approved today it does not spell out, unless I'm missing it, who the principal parties are in this company. It's usuall spelled out in the ordinance.

Mr. Perry:

There's nothing in it.

Mr. Ferlo:

I believe I raised this point in the Committee Meeting and that's why I abstained. I abstained in the Committee Meeting for that reason and I thought it would be in here today. It's not and I just wanted to let you know why I'm abstaining.

Mr. Lyons:

I move that this bill be recommitted.

Mr. DePasquale seconded the motion.

WHICH MOTION PREVAILED.

Mr. Pollock presented

Bill No. 1797

Report of the Committee on General Services for December 7, 1988 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1305

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for Telephone Auditing Services for the Department of General Services; providing for the establishment of a Trust Fund; and upon approval, providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Michelle Madoff  |
| Mr. DePasquale | Mr. Pollock      |
| Mr. Ferlo      | Mr. Wagner       |
| Mr. Lyons      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1454

An Ordinance entitled, "An Ordinance providing certain requirements to be met by contractors and subcontractors for projects funded or given property by the City and providing penalties for non-compliance." (AS AMENDED IN COMMITTEE) --- (SPONSORED BY MR. FERLO)

Which was read.

Michelle Madoff:

Mr. President and members of Council, as you know, I voted no on the initial bill because I felt we should have fifty percent of City residents if we were going to put the burden of a major administrative problem onto the City. And I, like all of my colleagues, have received many letters from small community groups such as the one that went to four of us referring to the problems that they would have in trying to develop small community groups.

I understand from Mr. Ferlo that his amendment to the bill exempts those groups. Is that correct, Mr. Ferlo?

Mr. Ferlo:

That is correct.

Michelle Madoff:

The bill that I showed you

today exempts the smaller communities. Is that right?

Mr. Ferlo:

I'll speak to that issue.

Michelle Madoff:

Okay, and if that is true, and I don't believe that Mr. Ferlo would deliberately lie to me because it could very easily be checked, I then went back to do some research and I spoke to Mr. McDermott and I asked Mr. McDermott on the Grant Street Project, which was millions of dollars of City money and certainly federal dollars, what percentage of the people worked on the Grant Street Project? I felt that we were getting by just a law of averages we were picking up 25 percent and therefore I was adamant that we would get 50 percent. We were getting 25 anyway and I wanted 50 and we were going to put another administrative burden on the City.

Well, I was absolutely amazed, disappointed and shocked to find out that the percentage of City residents that worked on the Grant Street Project, all of Grant Street, was five percent and perhaps less. Because of that, I'm inclined to change my vote and vote for the bill. But I have a problem. This Council has been in court being accused of not behaving in a statesperson-like manner because of our vote on ARC House, our vote on self-service gas stations, our vote on plastic pipe. We get sued, we go to court, and presumably our attorney, this Council has not seen fit to get ourselves our own attorney and we have to rely on the City Solicitor, has said the bills were not legal.



I will change my vote and support the bill because of the 25 percent which is a lot more than five percent. But, if that bill is found to be illegal, I will not support it. I just want to be up front, not say one thing one day and then come back and say now I change my mind. If the bill is illegal, I will not support it. We have a letter from Mr. Dan Pellegrini that everybody got, and for those who may not know what he said, I think he said it was too complicated, he could not get it back for today.

Mr. Coyne:

Mr. President, just for the matter of the Record, a statement was made last week by one of my colleagues saying that this bill was solely intended for suburbanites. So, just for the Record, I'd like the people in the gallery, everyone who is a City resident, would you please stand? I would just like to make note that it appears that the majority of the people are City residents. Thank you.

I'd like to commend Councilman Ferlo for working on this bill. It has taken a lot of compromise and a lot of work on his part and I think the bill is beneficial to the City as a whole. And one thing that I would like to do before we have the final vote today is to draw some comparisons between this legislation and the piece of legislation that was before Council earlier this year. During the earlier debate we had arguments that this bill will hurt the City, that it will drive people in business away, that there was no need for additional legislation because State and Federal statutes already existed and Council was overstepping its

bounds. These arguments did not apply then and they surely don't apply now.

Then we sought to protect basic human rights and today we do so again. And I'm not talking about the rights of the labor unionists because we know they're already protected and they already have the unions to back them up. But I'm talking about the vast reserve of workers who are not being paid a decent wage, not being provided with health and compensation insurance for themselves and their families. Workers who are having their basic human rights denied, not for any other reason than profit.

We have heard from community groups claiming that they help their community and the City in general but what we're not being told is that this help comes about at the expense of the individual worker. This isn't right. We cannot forget our neighborhoods and communities are made up of these individuals - some who aren't as "lucky" as others - that these individuals will work for substandard wages because they have no choice. They will accept safety conditions that are below average because to complain would be the same as being asked to be fired. It is this group that we, as Councilmembers, must stand up for today.

The arguments heard against Bill 1454 reflect the general trend of governmental thought coming out of Washington, DC in recent times, that being in the right of the individual may be overridden where the select few will profit from it. This type of thinking cannot and should not be tolerated by our City or by this Council.

So, I ask my colleagues, especially those who voted to protect human rights earlier this year, to do so again and to show that we stand across the board for the protection of basic human rights and needs. Thank you.

Mr. Wagner:

Mr. President and members of Council, as all of you know, last Wednesday when this bill was in Committee, Bill No. 1454, I voted for the bill, I voted for the amendments that were put on the floor by substitute bill, and also one additional amendment that didn't pass. At the time of voting for the bill and the amendments, I requested a legal opinion. I did it for a reason and obviously I want to make sure that a piece of legislation that we pass here in this Council is legal, is enforceable, is fair, and is justified. The City Clerk sent a letter to the Solicitor and a return letter was sent, which I am reading:

"Dear Mr. President and Members:

I am in receipt of your request for an opinion on Council Bill 1454. Because of the complicated nature of the bill, I will be unable to provide an opinion by Monday, December 12th."

I spoke with our Solicitor this morning. He is ill, he is at home and he told me he has not read the bill yet, the substituted bill. I think it's very important, and it's not the popular thing to say right now, particularly when the room is filled with people lobbying for the bill, and many of the people I know in this room. But it's the right thing to do. It's right to ask for a legal opinion on a piece of

legislation and to know that we are moving forward in the right direction. That is a justifiable thing for this Council to do.

Now, I think it is within the means of the Solicitor to provide that legal opinion by next Monday, and, consequently, I would recommend to Council that we have a legal opinion prior to moving on the legislation. If the legislation, if there's any urgency that I am aware of that this bill cannot be held for one week, I would like to know what it is. The bill was originally introduced in Council months ago and there has never been a legal opinion requested on the bill. We have never even asked the Solicitor to the table to comment on the bill. Due to the fact that the bill was changed drastically, last Wednesday in Committee it was changed so much that the reporters that wrote on the bill were referring to the previous bill rather than the bill that passed. And to be quite frank, until that meeting was over, I had not looked at the bill, the bill that was put in by substitution, and I've discussed that with Mr. Ferlo.

So, I would recommend that we hold the bill for one week, at least until we can get a legal opinion from the Solicitor. And if there's any reason why the bill can't be held one week, I'd like to know what the reason is.

The Chair:

That's not a motion, is it Jack?

Mr. Wagner:

Well, I'd like to know the reason, if there is a justifiable

reason. I put a motion on the floor to recommit.

Michelle Madoff seconded the motion.

Mr. DePasquale:

Mr. Wagner, what guarantee is it that we'll have a legal opinion in a week? If we don't, then we'll vote on the bill regardless.

Mr. Wagner:

I believe the Administration is mandated to respond to Council, not immediately, but within a reasonable period of time. And I believe a week is a reasonable period of time.

The Chair:

I spoke to the Solicitor Wednesday after we had passed the bill and I think that from Wednesday until he got ill, plus the bill was sitting on the table, like you stated, at the beginning of October and now we're in the middle of December, and Mr. Ferlo who sponsored the bill has bent to everybody's wishes. He's cut this bill up 100 times; he sat with the Administration, and I stated this all Wednesday. There see no problem with it. I spoke privately with a number of different directors and they really see no problem with it. And for us to delay this, if Mr. Pellegrini would research this subject and come up and say it's illegal, then the Mayor would veto it and we could have the same discussion all over again to override the veto just like we did on the other piece of legislation that she just vetoed.

So, I see no reason, in my opinion, and I will vote no on

holding this piece of legislation. I think it's been here too long. And I'm just repeating what I said Wednesday; we have to vote on this piece of legislation. I want to vote on this piece of legislation. I want to get it up front, and get it over with.

Mr. Ferlo:

I just want to say that I respect the request of my colleague, Mr. Wagner, regarding the issue of seeking out a legal opinion. However, the issue really behind this bill and the issue that this City Councilman needs to deal with is really not a legal issue, quite frankly, it's an issue of public policy and what our moral opinion is regarding the content of this legislation as it relates to the quality of life of working people and how commerce will go on in this City. It may very well be that at some point the Solicitor, whether or not the Administration is either for the bill or against the bill, is going to be based on legal interpretation of the ordinance that I've submitted. I don't think that's the way we should do business.

I remind my colleagues that both on the ARC House as well as the plastic pipe debate, we knew, for instance, in the plastic pipe legislation without a legal opinion that we were going to be sued or that there would be future legal action. We did that because we felt strongly about a public policy regarding the banning and the use of plastic pipe in buildings. Some of us made the point about the occupational health and safety concerns; others talked about labor and materials needed for the

construction activity. Regardless of what the individual motivation was of individual members of Council, we didn't hold off based on some grandiose legal opinion.

In the preparation of the initial bill, I worked with legal advice and legal staff who worked with me through the summer up until the time that I submitted it October 10, 1988. The residency requirement, if we review very succinctly that the legal kinds of questions that come up in the bill, one is on the residency requirement which, again, I would point to the example of the City of Boston where that residency requirement and that lawsuit was litigated all the way to the Supreme Court and it was upheld. Minority and female set-aside programs have been initiated by hundreds, if not thousands, of municipalities and states, government locally, statewide and nationally. Across the country they have been upheld.

I think it's very clear that Council by description in the Home Rule Charter has the right to decide the manner in which contracts will be prescribed and that's basically the type of legislative prerogative we're taking here today. What's needed today is an interpretation of the bill based on what it does or doesn't do and not any last minute legal interpretation from a Solicitor that I would be afraid is somewhat beholden to an Administration who I'm not totally sure what their position is on the bill. I thought I was sure in the last couple weeks because having met with them I tried to address many of their concerns. The one potential legal battle had to do with enforcement regarding the activity

of another branch in government and that is no longer in this bill.

So, I believe very strongly, based on the legal advice given to me, that the bill is legal and can withstand any challenge. And I think, more importantly, we should decide on the merits of the bill as it relates to a matter of public policy.

**Mr. DePasquale:**

Mr. President, I've disputed the City's legal opinions time and again and if our Solicitor says this one is illegal I think I'm going to have to dispute with him again. But out of courtesy, I think we owe it to our colleague, if he's asking for just a one week recommitment, to go along.

**The Chair:**

I would just ask you not to recommit this bill. Every bill we vote on, we can't keep recommitting and asking for a legal opinion. We have no business down here whatsoever. If they submit a bill to us, should we then say we want a legal opinion of their bill and take it down to some guy down the street? This is what's going to happen. We do not need a legal opinion on this bill. We should vote for it because they're going to give it to us anyway. And then we'll let them point it out correctly, what is wrong or right with this piece of legislation. And they'll put it in the form of a letter and the form of a veto and that's how we should get the legal opinion on this bill and I urge you all not to recommit this bill.

Mr. Coyne:

Question called for.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. Pollock  
Michelle Madoff Mr. Wagner

AYES 4 NOES 4

VOTING NO:

Mr. Coyne Mr. Lyons  
Mr. Ferlo Mr. Woods  
(Pres't)

And a majority of the votes of Council being in the affirmative, the motion was defeated.

Michelle Madoff:

On the bill itself; I'm going to be very brief. I want to remind my colleagues that on plant notification legislation I was very up front and supported it and was crucified in the media. I voted for it because I thought it was right.

On bills such as ARC House where you were the leader, Mr. Woods, we thought we were doing the right thing and we got sued. On the self-service bill we got sued. On the plastic pipe bill we're getting sued. The cost to our taxpayers should not happen if the bills are

found illegal.

I really want to reiterate that five percent City residents on the project of Grant Street is a disgrace. I'm going to vote for the bill but I do want to point out if for some reason it sounds logical to me, the bill is deemed to be illegal, then I am going to try to stop this business of going to court and using the taxpayers' dollars.

Mr. Pollock:

I have read and re-read this bill and have attempted to determine how it benefits the City. This bill has been so watered down that it doesn't even benefit the people it purports to benefit. Fortunately, the people who genuinely care about this City, the people in the neighborhoods, the people that are non-profit groups, the people in development groups, were able to prevail upon the drafter of this bill to get him to change it so much that it really is nothing but a shell and does nothing really to benefit the people who are lobbying for this bill.

The people supporting this bill are being sold a bill of goods and either they don't know what this bill says, or the sponsor of this bill doesn't know what it says, or both.

As I read the legislation, the only contracts that are covered are those that the City enters into itself for its own work where there are already state and federal requirements for reporting and work and so forth and so on. In other words, the state and federal authorities are already requiring something before the City can get

into it.

So then why is this bill necessary? Why is the City getting involved with a problem that is not ours? Shouldn't people be going down the street to the federal or state authorities to get them to enforce the bill that is already on the books for them?

Admittedly, there are added provisions that have been put in, further requirements, further stipulations, further demands. But I want to make something very, very clear and I defy anybody to dispute this. The big winner by the passage of this bill will be the large non-union contractor. That will be who the big winner will be. They'll get every contract because they'll have the bureaucratic staff to handle the greater demands. They'll have the wherewithal to pay the additional costs and they won't have to honor any union contracts regarding hiring, regarding transferring workers from job to job and everything else that unions have fought so hard to obtain. They won't have those requirements to meet. The non-union contractor is going to get every City contract. That's who the big winner is going to be. So these people are fighting for something that's really going to be hurting them.

This bill does several things, none of which are in the best interest of the City. It makes the City police the requirements of the federal and state government. It makes those contractors doing work for the City and subcontractors endure far greater expenses, higher overhead, more bureaucratic demands, steeper benefits and other heavy burdens. These demands will have

numerous negative results.

There will be less bidders for City contracts and City subcontracts. The smaller contractors and subcontractors will not even be able to bid. They will not be able to withstand all the added overhead and bureaucracy so they will be shut out entirely. The little guys will be hurt. The subcontractors will never even have the opportunity to get involved in the project. And the fewer contractors who bid will have to bid higher to make up for the increased costs and demands. Thus, the City will have less funds available to do its necessary and important work.

There will be less work in the neighborhoods, slower repairs to City facilities, less available funds. Eventually, it might even result in a tax increase.

That is one of the most ironic, most painful aspects of this legislation, and the people of Pittsburgh, the taxpayers of Pittsburgh, should know this. The people who foot the bill for everything the City does should know that they're being sold out.

Since I came on Council, I have been doing all I can to lower taxes. I have repeatedly made the case for reducing the City's costs. Now, along comes this bill which takes us in exactly the opposite direction of where we should be going. No member of Council who wants to reduce taxes could possibly vote for this bill.

More than anything else, this bill sends a message that Pittsburgh is anti-development and that Pittsburgh does not have a climate

that is attractive for business and for developers. I knew this legislation would have that effect but I had no idea that my fears would be realized so quickly even after the preliminary vote. Since Wednesday, I have been contacted by realtors, attorneys and agents who have informed me that the developers and companies which they represent have told them that they are rethinking their plans to do business in Pittsburgh. The shock waves have already hit the economic development community. --

**The Chair:**

Please, if someone speaks in favor of the bill we show them respect and if they speak against it we expect the same kind of courtesy. Please.

**Mr. Pollock:**

I think in the past you have used the language that if people don't come to order you will empty the hall.

**The Chair:**

They're not out of order. Please, continue with your discussion.

**Mr. Pollock:**

What is ironic about this is that the current watered-down bill doesn't really affect those people. It's just the image and the thoughts and the feelings that they have about the current climate in this City.

The shock waves have already hit the economic development community and I have no doubt that

the ripple effect will go across the nation. The damage of this bill will be even far worse than the actual detriments of what the bill says. The real tragedy is that the image of this City that has improved so vastly, to the point of being actually an attractive one, will now be significantly tarnished.

Our Urban Redevelopment Authority has a hard enough time competing with the other municipalities in other states without this Council further handicapping it. This bill has euphemistically been called the "level playing field bill" supposedly as a symbol of the new competitive relationship between union and non-union companies. What about the level playing field between the City of Pittsburgh and other communities? No member of Council who cares about economic development in this City could possibly vote for this bill.

In addition, I am sorry this bill was not recommitted because there are several things that could be amended in discussion in Committee. For instance, I, too, have checked with an attorney, a very knowledgeable attorney in this field, who has informed me that a very important provision could be added to this bill. That is, why not have the prevailing wage paid only to the City residents? Or, in the alternative, why can't the people who work on all prevailing wage jobs be required to pay City taxes whether they're City residents or not? That, too, can be put into the bill.

I doubt if the proponents of this bill would consider that and, of course, the proponents of the

bill who would be against it don't live in the City and don't pay our taxes. So, they would reap the benefits without having to pay the costs.

Let me make something extremely clear. I can identify the purported intent of this bill. I sympathize with the desire to improve the wages and working conditions of the worker. It is a noble cause. But it is not the cause that the government of any municipality can possibly address. These issues must be addressed by other means in other forums. I, too, have compassion; I, too, have feelings. But I also have a strong sense of duty; duty to my City, duty to the people who elected me, duty to the people who have given me their trust. I must act responsibly. That is why I voted against the misguided plastic pipe restriction. Believe me, it is a heavy burden to have a conscience, to have compassion for my fellow man and woman, and to always desire at the same time to legislate responsibly.

And do you know what is especially ironic about this type of legislation? Frequently, it is counter-productive and hurts the very people it is attempting to help.

This bill is exactly like, in so many ways, the plastic pipe bill which was supposed to save lives and which actually puts Pittsburghers at far greater risk. Moreover, the misguided plastic pipe ban clearly demonstrates the self-defeating nature of this short-sighted ordinance.

Permit me to read from the December 5th New York Times. "In an

attempt to fill a need for affordable urban housing, community groups and local officials around the country are turning to factory built housing in the hope of creating instant neighborhoods on vacant City lots. The houses are built on assembly lines with plumbing, carpeting, and are then shipped in two or three parts to be assembled at the building site. Until recently, these modular houses had been found mostly in suburban and rural areas where open expanses of land and shortages of skilled labor have made them financially attractive to private developers. Now in the face of declining federal support for housing programs a growing number of groups are banking that housing costs in urban areas can be cut by the innovative use of houses that can go straight from the assembly line to vacant lots, often tax of delinquent land that has been taken over by the City. Such houses can be manufactured for as little as \$50,000 and with public subsidies and low-interest loans can be bought for even less. One experiment is underway in Baltimore whereas in many other major cities the demand for affordable housing far outstrips the supply. There was an inventory of 5200 boarded up houses unfit for habitation, as well as a waiting list for some 37,000 applicants for public housing. Low income families are living in a row of new townhouses that were built, each out of two modular units stacked on top of each other, on what, only four months ago, was a weed-strewn field in a blighted area in the City's west side not far from downtown. The three bedroom, two bath, townhouses are the first of 171 being constructed as a pilot project by a non-profit organization."



The story goes on to say that this important, much needed housing will not be utilized to help alleviate the staggering housing need in Chicago and the reason is quite simple. The Chicago City Council passed the regressive plastic pipe restriction which has had a debilitating effect on development in the city. Now it is preventing supplying of homes for the homeless. Incredibly, despite facing a dire need for this modular housing to meet a housing demand, the Chicago City Council refused to rescind the plastic pipe ordinance. The result is that the manufacturers of this housing will not attempt to build this housing in Chicago because the stricter requirements add approximately ten percent to the cost of new housing and rehabilitation. Tragically, Pittsburgh has this same debilitating ordinance and so I am certain that this much needed housing will also never find its way to Pittsburgh where we drastically need it to help solve our housing problems.

So, in an attempt to satisfy the demands of local labor, this Council is hurting the people who truly need help, the poor, the homeless, those living in substandard housing.

This bill builds a moat around the City. It is already difficult enough to get people to work in the City, to do work in the City, without making them jump through more hoops. Will small contractors and subcontractors be able to share in the purported benefits of this bill? Will the small businesspeople, our neighbors, our friends, the people working from week to week on a paycheck trying to

meet a payroll of a couple people be able to pay the additional costs, hire the additional people, meet the heavier burdens, pay the added overhead? It is our neighbors who have worked in this City and who stay in this City who will be hurt.

In Pittsburgh and its region, building trades unions have negotiated concessions with union firms, Mellon Stuart, Navarro, Dick, the real big ones, on a project by project basis. The concessions in some areas, ten percent or more, are negotiated where there is non-union competition. There is a recognition in this agreement of the factors at work in the marketplace. I do not see any recognition of market factors in the bill before us.

This bill will hurt our neighborhoods. It will hurt our taxpayers and it will damage irretrievably our image. This bill will hurt the Pittsburghers who are here and who have stayed here. It will hurt the small businessperson, the neighborhood contractor and subcontractor. And it will result in our local companies losing business, losing jobs, maybe even going out of business.

I think the best answer to this type of legislation was stated more than a hundred years ago by actually the founder of the whole union movement, labor movement, Samuel Gompers, when he said, "The worst crime against the working man is a company which fails to earn a profit." This truism is more valid today than ever. This bill should definitely be defeated.

Mr. Ferlo:

Mr. Woods and members of

Council, in response to my learned colleague, Mr. Pollock, I think I could best describe who this bill helps by saying that Mr. Pollock works with his brain but this bill is intended to help City residents who not only work with their brains but work with their hands and their backs. That's who this bill is intended to help.

In the Wednesday Committee Session I gave a lengthy description of the bill and I would like those comments brought forward. In the interest of time, I will not reiterate all of those points, but suffice it to say that I would dispute verbatim much of what Mr. Pollock talks about. But rather than get into that, since I think he made a futile effort, a last ditch effort, to defeat this bill, and I hope he will not be successful, I just want to point out that in addition to my comments being brought forward from Wednesday that the bill, and it's unfortunate that those in the Administration will not come forward and publicly indicate this, but it's been very clear to me that in my discussion since Wednesday that we will gain several millions of dollars in revenues, not only from the wage taxes that will be collected as a result of the 25 percent residency set aside, but equally important, it's been clear that there are many fly by night subcontractors who are not paying their business privilege tax. I would make the counter-argument to Mr. Pollock's that we in fact will gain necessary and needed revenues as a result of the impact of this bill.

I would hope that I would not have to indicate to this Council the significance of people living in

this City benefitting from the construction activity, and this bill would so state, and I would hope further, even to Mr. Pollock, my colleague, I would hope that his concern about minority set asides and female set asides has not gone by the wayside because this bill significantly improves the quality of life for minorities and women residents in the City of Pittsburgh.

I'll just close with the understanding that my comments are being brought forward, and to ask that all of Council please vote in support of Ordinance 1454. And I take exception at a comment in the newspaper that somehow people in the audience, be they for the bill, be they City resident or non-City resident, are somehow vigilantes. My colleague did not make such a reference to gay activists in the audience a couple of months ago, many of whom were not City residents and supported that legislation.

I'll just close by indicating that these post cards and these petitions on the table are City residents. Yes, they are union members. Yes, they belong to building trades unions. They are City residents in support of 1454 and they are not suburbanites. I would please ask my colleagues to join me in support of this legislation.

**The Chair:**

Please bring my remarks forth.

**Mr. Wagner:**

I'd like my comments brought forward from last Wednesday.

(REMARKS ON FOLLOWING PAGES)

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(BEGINNING - MESSRS. FERLO, WAGNER AND WOODS COMMENTS ON BILL NO. 1454, WEDNESDAY, 12/7/88)

Mr. Ferlo:

Mr. Chairman, on the amended bill, this bill, Bill No. 1454, which I have submitted for discussion and hopefully an approval today and on Monday, was submitted back in October 10th as you recall and on November 1st before Council there was a lengthy public hearing and I believe there were close to 50 speakers both pro and con representing a fairly broad-based viewpoint of various constituencies throughout the City of Pittsburgh.

The bill as amended, the amended version that you have before you now that we would be voting on, I believe expresses the consensus of the concerns that have been expressed to me not only by Councilmembers in my lobbying and discussion with you over the last month and one-half but equally important it represents both constructive criticism and out and out opposition to the bill from minority groups, neighborhood leaders, representatives of the labor movement in the city as well as business spokespersons and major contractors. I believe the bill represents a consensus and a meshing together of a variety of viewpoints by what can best be described as competing interests in our city.

The bill as amended, the bill that you have before you today as amended, I believe revolves administrative, legal as well as financial concerns that have been raised to me by representatives of Office of the Mayor. This bill exempts, reiterating, this bill exempts contracts initiated by our city or its authorities with any individual or corporation whose purpose is to conduct residential or commercial development where the prevailing wage does not apply. Just so we're very clear on that point.

The bill has several objectives. First of all it establishes a mechanism to guarantee local compliance with state and federal prevailing wage requirements. The bill creates a more level playing field between union and non-union contractors who bid on publicly assisted projects by requiring certain pre-bid specifications and those pre-bid specifications seek to raise the standard of living and working conditions for what I would argue is a very large pool of unorganized workers in this city.

This bill creates a verifiable means for local government to account for wages as well as taxes, and I see Mr. Sciortino back there. This bill creates a verifiable system for our government to account for taxes as well as wages paid on projects where our tax dollars are earmarked for commercial, residential and municipal development in our city.

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This bill significantly impacts and increases minority and female participation on city-assisted projects, be those projects in a neighborhood or be those projects in the Downtown Area. By requiring female and women participation in three important ways.

Female and minority participation would be met and I would argue that the bill sets up a mechanism for the actual and verifiable employment of minorities and females in construction activity and I believe that will have a meaningful and lasting -- I think it will be a meaningful and lasting opportunity for those targeted groups in the employment life of our city.

It creates the actual and verifiable participation from minority and women subcontractors and a greater volume dollar that has been in the past.

It creates actual and verifiable participation for minority and women vendors who provide supplies or services or materials on publicly-assisted projects and a greater dollar volume than in the past.

This bill has several other objectives. It requires contractors benefiting from city-supported contracts to hire and maintain a work force of at least 25 percent City of Pittsburgh residents, individuals who are domiciled in the City of Pittsburgh at the time of their hiring on the project and throughout.

It increases public accountability, it increases monitoring and enforcement of an ordinance whose purpose is to improve the quality of life economic benefits to a large percentage of our residents in need of employment and an opportunity to participate in the commerce of this city.

This bill maintains and strengthens the role of the Executive Branch of government, the Mayor's Office, Department of Engineering and Construction, General Services, in the enforcement and monitoring of contracts and I believe that is both a permissible as well as a laudible activity on the part of City Council being the Legislative Branch of government.

This bill -- and I cannot stress it more clearly -- this bill does not force the City or contractors to pay union wages or force construction jobs to be completed by union workers.

Enactment of federal and state prevailing wage and benefit requirements were established by acts of Congress as well as the Pennsylvania Legislature. They have withstood decades of governmental and legal review.

Prevailing wage laws were enacted to protect working people by fixing a floor or wages on publicly-supported and assisted projects and is intended to promote a public policy that

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payment of low wages shall not give contractors an advantage in bidding or securing a publicly supported contract.

Enactment of the prevailing wage law, and I'd like to summarize of these points because I think these were the points that were expressed by people who supported the bill at the public hearing.

Enactment of the prevailing wage law at state and federal level, creation of the Social Security system of retirement, extension of health care benefits under the federal Medicare Program, creation of the Occupational Safety Health Administration (OSHA), state and federal minimum wage levels, recent plant closing notification requirements, among many other governmental initiatives over the last few years and decades, I believe do not cater to so called special interest groups. Their benefits, unlike many windfall tax benefits which benefit the rich, these programs do not cater to special interests because their benefits are spread out and I think they work to improve the quality of life of what I would argue is countless thousands of people in this city and millions of people throughout the United States.

I can go through each section of the bill to reiterate some of the points.

The bill, as amended members of Council, does several things. Importantly on the cover sheet it attempts to spell out specific declaration of findings which I will not reiterate; they're obviously a narrative statement. Basically reiterating some of the points that I have made about the role of local government to improve the quality of life of people in this city and commerce.

Rather than going through each section I will highlight my reiteration that this bill only deals with prevailing wage as it applies to the City of Pittsburgh currently. It does not extend or increase any threshold that does not already exist.

Importantly this bill as amended reduces redundancy or any complication as a result of another branch of office being involved in monitoring enforcement which has not only been raised as an administrative problem but a legal problem by the Administration, so the Controller's Office is not involved directly in any way, it remains the prerogative and the responsibility of the Executive Branch.

It's very clear from the wording and I spell out specifically exactly what female and minority participation is going to be. It is spelled out clearly how that will be met both in verification as well as the dollar volume and will significantly increase the threshold and the opportunity for women workers and subcontractors as well as minority women and subcontractors to participate where city dollars are being used. This does not cover all of the private sector; this only covers

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commerce and activity and construction that's related to city-supported projects.

Importantly, I spelled out earlier and you've seen an explanation here of the residency requirement. There are many criticisms about this issue, the residency requirement is an attempt to deal specifically with criticisms of the bill in terms of any potential increase dollar effect on municipal government and I would argue strongly that the residency requirement not only helps to address that issue but more importantly it is a statement of city government that where city dollars are going to be used, city residents are going to directly benefit from the construction activity. I think that precedent has been established on the ordinance regarding our own employment of workers on the city payroll. It was done on extending the residency requirement to our authorities earlier this year.

With that, I would like to open it up for discussion but I would ask my colleagues to support the bill in its amended version and I would be happy to answer any questions.

The Chair:

Discussion on the substitution for amending the bill.

Mr. Ferlo:

As pointed out in the public hearing and as well based on my research and evidence by many discussions with representatives both at the contractor level be they union or non-union as well as the work force, it is very clear that people are getting around paying the prevailing wage in this city through a variety of means and this bill sets up a mechanism for the Executive Branch --

Michelle Madoff:

What is mechanism?

Mr. Ferlo:

The mechanism that is spelled out in the bill is in several areas specifically through the weekly payroll records as well as tax records that would have to be supplied.

Michelle Madoff:

To whom?

Mr. Ferlo:

City of Pittsburgh.

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Michelle Madoff:

What cost?

Mr. Ferlo:

I don't believe any additional cost.

Michelle Madoff:

Is that a factor? I don't know that it's true but I heard that it would be an administrative nightmare.

Mr. Ferlo:

No, because for one thing there are already existing forms most often referred to as CCD-1 forms that go to the Mayor's Office and the Commission on Human Relations. It is easy for these forms to be supplied to local government because there is also requirements at the federal and state level and that mechanism and that work, that administrative hassle on the part of the contractor is already there.

I would like to point out that in my discussions with both union as well as non-union contractors in the city and I will admit they are primarily union contractors the so-called "big guys", there is only one opposition that they expressed to me in this bill, the original version of the bill and that's why I amended it and that had to do with eliminating the subcontractor, they did not want that activity to be public and competitive. They say it would not only be an administrative nightmare but there's no way that 30 minutes before a bid has to go in when they're trying to call around and working on spread sheets and trying to get the best prices from suppliers and sub-contractors, they said that there is no way that they would be able to compete and submit bids for city-supported construction activity, and with that in mind that point was eliminated from the bill. And that was the only onerous activity in this bill that major contractors in this city expressed to me.

What I have attempted to do in this bill and I agree with you but I'm attempting to weigh a consensus of what I will have to admit are many competing interests, pro and con to this bill and my argument is that we accept the bill and I think that's something that we should study, we will be able to look at records throughout the coming year in terms of how the minority and female participation set-aside has been met. We will be able to review records and to get to your point about the number of city residents working on a job and at that point I would like to open it up for future review and modification.

Mr. Woods:

Mr. Chairman, I would like to commend Mr. Ferlo for all the hard work he's done on this piece of legislation and Mr. Coyne

helped him out a lot. I think he's given in a lot to everybody's concerns. I've spoke to the Administration about this piece of legislation and they are happy with it, they can live with it and as far as more than 25 percent of the city residents being required to work on construction jobs, I'm a construction worker by trade and I have worked all over this county, this state and in other states and I've never once in my 26 years of construction work ever worked in the City of Pittsburgh proper. Never ever as sheet metal worker have I ever worked in the City of Pittsburgh. And, if we go with more than 25 percent, what about Indiana County or where all the power plants are or down in Shippingsport or any other borough they're going to say we want 50 percent. I think that we are getting enough and a lot with 25 percent, and that's union and non-union workers. We work everywhere, we just don't work in the City of Pittsburgh and we live everywhere and I congratulate you and the people for accepting 25 percent. I think that's fair and I would recommend to this Council that we all support this legislation as revised.

I stated that I was union member but I also stated that non-union people work not just in the City of Pittsburgh they work all over the same areas, all over the county, in other counties and in other states that live in the City of Pittsburgh. That I know for a fact also. I know enough non-union people that work in construction and industry also. And I ask you once again do not support Ms. Madoff's 50 percent; stay with what we just voted on 25 percent, and by the way I must remind you Mr. Chairman, we just approved this bill when we voted.

The Chair:

Could we please have order in the room?

Let me state this prior to Mr. DePasquale's. I appreciate everyone's emotion to the bill, but this meeting must be conducted in a businesslike manner and if it is not I will recess it at the very least.

We have not completed this legislation there are other proposed amendments on the floor. It takes a final vote on any piece of legislation in this Council at a Legislative Meeting on Monday. So this bill or any bill is not ultimately passed until it hits a Legislative Meeting.

Now there is a second amendment to this bill on the floor now for discussion proposed by Councilwoman Madoff increasing the residency from 25 percent to 50 percent; that's what we're discussing here.

We did not approve this bill yet. I want to clarify that for everyone here. We are still voting on amendments to the bill.



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Mr. Ferlo:

Let me finish my point. My point being that I'm not clear and Michelle you can speak to this in terms of your support for the initial intent of the legislation and if I were clearer on that I would have a better appreciation for your concern but I'm worried that this has been alluded to me by many who are basically opponents to the bill that the best way to attack this bill and deflect it and embarrass the sponsor of the legislation is to wage the fighting defense on the residency requirement.

This bill, more so than enhancing the quality of life for union members because union members already work on jobs where the prevailing wages and benefits must be paid and accrued. There are those mechanisms in place. I would argue more importantly that this benefit, this bill benefits non-union workers who are supposed to be getting the wages and benefits as a result of the prevailing wage and city-sponsored and supported construction activity. It is those large numbers of people out in that audience within the City of Pittsburgh that will most benefit from enactment of this legislation.

The residency requirement, the minority set-aside, female participation, the way this bill is constructed, it's night and day compared to what we have in place now versus what will happen in the future and I think this bill is fundamental, it is significant, it measurably impacts thousands of people who are city residents and it is my intent in this legislation to improve city residents, commerce, quality of life of individuals, improvements in the neighborhood, construction activity and I believe has gone a long way in making some very important changes in the operation and the policy of city government.

The Chair:

Any other discussion on the 50 percent amendment?

I have one comment. I will vote in favor of 50 percent amendment because I feel that if this bill in its intent brings monies back to the city, the only true way it can bring monies back to the city is if people are living in the city paying taxes.

Now in addition to that some other advantages of the bill and I agree there are some significant advantages when it relates to minorities and others working. It's our responsibility to be concerned about the city residents, period. Really that is our first and only responsibility to this city and if an amendment can improve or help city residents, I feel obligated to vote for it.

Mr. Ferlo:

I would like to make a second amendment which I distributed. Amending the substitute version which we discussed

and voted on preliminarily.

In Point Number 1, a second proposal has to do with strengthening the monitoring so that it is not just a prevailing wage jobs currently in place but where there are instances where city government donates property in excess of \$150,000 the estimated fair market value, so the specific wording that is before you is to alter the first section to read or to which the City provides property for non-residential use of an estimated fair market value equal to or in excess of \$150,000.

There have been many instances that have come before us where the land has been donated at expense to the City and the taxpayers. There is not necessarily the requirement to pay prevailing wage with all of its requirements on those jobs and I believe where there is the donation of the fair market value of that land for non-residential purposes that this bill should also apply in those instances.

Mr. Woods:

I would ask with all due respect to my colleague Mr. Ferlo, for us to turn this amendment down.

I have played a very small part in this piece of legislation dealing with the Administration. This amendment they cannot live with and it will be vetoed and I don't want to lose this whole bill over this one piece. I feel that we should work with the bill as proposed, see what happens, see how it -- if it becomes workable and then later on down the line next year or whenever this bill is working we can always amend it up. But I will tell you now if we put this in, it will be vetoed and you know I think a veto will uphold with this piece of legislation or this paragraph in here, so I ask you not to approve this amendment.

Mr. Woods:

Yes, I think we're playing games here. This bill has been out on the table since October and everybody knows what this legislation is. People don't get the amendments they want so they want to play around and table this bill. I think it's about time as elected officials -- and I have heard all of you say this and now it's my turn to say it. Damn it, bite the bullet and vote on this bill up or down; use your conscience. If you ain't for the bill vote no on the bill but let's vote on this bill. We can't have these people coming back all the time. This guy (Ferlo) worked his tail off and we can't keep putting it off and putting it off. I ask you all to vote on the this bill today.

The Chair:

As Chairman I would like to state something. I don't know where this bill is going right now, whether it's going to be held for two weeks, it's going to be approved or not approved

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and it's going to come for a vote on Monday. The one thing that has not been done on this piece of legislation, and I want to state this clearly. There has not been a legal opinion asked on this legislation. That is justified whether or not this bill passes or does not pass at this table or is held or not held. And this Council is obligated to ask for a legal opinion on the legislation. Now if it's between now and Monday that's fine or if it's between now and a week from now that's fine also.

Here's the ground work that I'd like to state.

I would like us to move on this bill today and I'm asking the Solicitor to provide this Council with a legal opinion by Monday on the legislation, and it's as simple as that. That has not been talked about at this table.

Michelle Madoff:

We're doing what we said is illegal; we're discussing the motion to hold.

The Chair:

No, we're not. I'm chairing the meeting and I'm making a request and I'm making that request and I want it writing to the Solicitor from this Council. Now this Council has to proceed on good legal knowledge of what this bill is all about. Now I don't want this Council to get into a big disagreement here without knowing that.

Now there is a motion to the floor to hold two weeks.  
Michelle Madoff:

I'm also making a request and not only a legal opinion but what the administrative endeavors would have to be in the city in order to facilitate this legislation. May I make that request?

The Chair:

You can make any request you want.

Prior to proceeding, I would like the City Clerk-- the request made by any Councilmember must be to this Council in writing by Monday -- final vote on the bill.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER 1

Michelle Madoff:

Mr. President and members of Council, it's no secret that I've been very active from 1969 on in the environmental movement. And may I remind Mr. Pollock that federal laws were passed that were very weak. The state laws were passed and they were weak but a little stronger than the federal laws. And then the City passed, Allegheny County passed laws that were more stringent because we had a greater problem.

I think the first thing we want to think about is getting some jobs for the citizens of this community. When I found out, and I was under the misapprehension that we got 25 percent just by the luck of the draw, I felt foolish that we only got less than 5 percent.

Now I'm hoping the bill is legal. But I'm not going to vote for it if it isn't. But if, as I perceive the bill to be, Mr. Ferlo is really not saying we're going to make it tougher on people doing business with the City, he's just saying, and I don't even think you really need the bill, he's saying that we already have a federal law, the Davis-Bacon Act, we already have the state Davis-Bacon Act, and I'm saying we're going to have the Davis-Bacon Act because it hasn't been enforced. You're right. The feds and the state ought to be enforcing the bill. It's just a restatement of what already exists in law. And I don't think it hurts to restate any more than it hurts to restate on the County level that we should have clean air after the state said it and after the feds said it. And if the bill is deemed to be enforceable and legal, that's the way the bill ought to go. And I

think the media has a responsibility, and I think they carry it out fairly well, to report the new bill as amended being really just a restatement of what already exists. And no one has said the existing bills are going to put people out of work.

Mr. Wagner:

I'm abstaining on 1454 and I'm stating briefly why I'm abstaining. There is no legal opinion on the bill. We have had two controversial come in front of this Council in the last two months. The gay rights bill of which there was no legal opinion requested because everyone knew what the legal opinion would say. We have another controversial bill in front of Council; there is no legal opinion requested or yet given. This Council does not have a solicitor. This Council does not have anyone to legally review bills. We are going to meet, I'm sure, soon to talk about a legal solicitor. I believe that no bill should come out of this Council unless it has a legal opinion and it would save a lot of problems for this Council, for this Administration, and for this City, and ultimately the taxpayers, if we do that.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Lyons  
Mr. DePasquale      Michelle Madoff  
Mr. Ferlo            Mr. Woods  
                      (Pres't Pro tem)

AYES    6            NOES    1

(MR. POLLOCK VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1798

Report of the Committee on Engineering and Construction for December 7, 1988 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1704

A Resolution entitled, "Resolution amending Resolution No. 823, effective October 28, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for Swimming Pool Renovations, including but not limited to Banksville, St. Clair, Fowler, Northgate and Riverview; and providing for the payment of the cost thereof,' by amending the title to include authorization for Agreement or Agreements and by increasing the total project allocation by \$40,000.00."

Which was read.

Also,

Bill No. 1705

A Resolution entitled, "Resolution Repealing Resolution No. 468, effective June 24, 1988, entitled: 'Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for the implementation of the Swimming Pool Infrastructure Study; and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 1726

A Resolution entitled, "Resolution further amending Resolution No. 390, effective April 30, 1985, as amended by Resolution No. 611, effective September 21, 1986, as amended by Resolution No. 465, effective June 24, 1988, entitled: 'Providing for an Agreement or Agreements, or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome and Satellite Domes; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$227,388.35 from \$800,000.00 to \$1,024,388.35."

Which was read.

Also,

Bill No. 1771

A Resolution entitled, "Resolution providing for a Contract or

Contracts, or use of existing  
Contracts for Renovations to Troy  
Hill Fire Station; and providing for  
the payment of the cost thereof."  
—(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the  
bills?

And on the question, "Shall the  
bills pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5 NOES none

And a majority of the votes of  
Council being in the affirmative,  
the bills passed finally.

Mr. Lyons moved to approve the  
Minutes of Monday, November 28,  
1988.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of Mr. Lyons

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII Monday, December 19, 1988

No. 49

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem  
MICHAEL PERRY ..... City Clerk  
LINDA M. JOHNSON ..... Asst. City Clerk

Pittsburgh, PA  
Monday, December 19, 1988

#### PRESENT:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

#### ABSENT:

Mr. Lyons

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Wagner:

Mr. President and members of Council, I'd like to ask three individuals to please step forward to receive this resolution; Rita Gesue, who is the Assistant Director of Pittsburgh Hearing, Speech and Deaf Services; Kay Marlene Roberts, the Executive Director; and also Karen McGann. During this resolution we will have an unusual occurrence in that Karen will be an interpreter for the hearing impaired during the resolution.

This resolution actually was presented by our colleague, Councilman Lyons, who is in the hospital having some tests done today.

Mr. Wagner for Mr. Lyons presents

No. 1812 WHEREAS, communication is essential for mutual understanding and for participation in life's meaningful experiences including personal and social contracts and educational and career areas; and nationally, more than ten (10%) percent of all Americans have difficulty in communication because of a speech, language or hearing impairment which affects adversely their right to a useful and productive place in society; and

WHEREAS, an effort to bridge

the communication gap for more than fifteen thousand (15,000) children and adults in the Greater Pittsburgh vicinity who have a speech, language or hearing problem is the primary function of the Pittsburgh Hearing, Speech and Deaf Services, Inc.; and

WHEREAS, Rita Gesue has become the Pittsburgh catalyst for deaf services by developing the Interpreter Referral Service at the Pittsburgh Hearing, Speech and Deaf Services, Inc., by initiating and coordinating the annual sign language fund-raiser, SIGN-A-THON, and by conducting research which directly resulted in a closed captioned local evening news for the Pittsburgh deaf community; and

WHEREAS, Rita Gesue is a vital and dedicated Pittsburgher who has coordinated the interpreters who sign during a weekly Catholic mass on television, who enables employers to see the potential for hiring the hearing and speech handicapped, and whose expertise in the field over thirteen (13) years, has brought honor and recognition to Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims this day, Monday, December 19, 1988 to honor and recognize Rita Gesue as a service-oriented humanitarian who continues, through her active innovations, to improve the quality of life and to encourage the full citizen participation of the area's deaf community.

Mr. Wagner moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

Mr. President and members of Council, I'd like to introduce Rita and after Rita we will have Kay Marlene Roberts speaking here. Rita has been very involved, and also Kay Marlene, for some years in the Pittsburgh community and this effort, and I commend them for it. Rita, please say a few words.

**Ms. Gesue:**

I thank Councilman Lyons for proposing this resolution. I thank especially our Executive Director, Marlene, who has the deaf people at heart, sincerely, and is a tremendous support to me and a very big encouragement. And I also thank my religious community, the Vincentian Sisters, who have allowed me to do this work for the last 15 years. Thank you.

**Ms. Roberts:**

I feel it is a privilege and an honor to have Rita Gesue on our staff. She has been one of the major forces in helping us move forward to bridge the communication barrier that exists for many people in our community. So, I'm honored to be with her today and again I thank you for recognizing her. It's an honor that she richly deserves. Thank you.

**Mr. Pollock and Mr. DePasquale present**

No. 1813 WHEREAS, Pittsburgh Central Catholic High School has been building a proud tradition of excellence since its founding in 1927; and

WHEREAS, Central's graduates



have gone on to become leaders in the fields of law, medicine, business and government; and

WHEREAS, in 1987, Central Catholic was selected by the U.S. Department of Education as one of the nation's "Outstanding Secondary Schools"; and

WHEREAS, all through these years of academic excellence, Central Catholic has maintained an equally high record of achievement in athletics and in its other extracurricular activities; and

WHEREAS, the term "scholar-athlete" is not an oxymoron when applied to Central Catholic's students; and

WHEREAS, a string of courageous upsets in the playoffs by Central Catholic thrust the football team into the State Championship Game against Cedar Cliff High School at Beaver Stadium on December 10, 1988; and

WHEREAS, in the PIAA Quad A Championship Game the Vikings, facing their third undefeated opponent, came from behind in the second half to defeat Cedar Cliff 14-7 thus winning the premier Pennsylvania Quad A State Football Championship.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Central Catholic High School and its State Champion Football Team for their stunning victories on the field, and, even more, for their many successes off the field; and

BE IT FURTHER RESOLVED, that the Council declares the week of

December 19 to December 24, 1988 to be "Central Catholic Vikings State Football Championship Week" in the City of Pittsburgh.

Mr. Pollock moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Pollock:

Mr. DePasquale cosponsored this with me and I appreciate and thank him for allowing us to do this together.

We have some of the seniors here from the team and the coach, John Fischetti and they've selected Vince Yoos to speak for the team.

Vince Yoos:

On behalf of Central Catholic, we appreciate City Council inviting us down here today and we're very thankful to bring this award to Western Pennsylvania. Thank you.

Mr. Fischetti:

I'd also like to thank City Council for bestowing this award upon us. I'm very proud and pleased to be associated with these guys. Actually, we have 22 seniors on our team. The other day we were honored by the County Commissioners and we brought the entire dress squad; we brought 45 guys and it kind of threw everything into chaos, so we just decided today to bring the captains and our principal and our athletic director.

I'd like to introduce everybody right now. First of all, our

Principal, Brother Martin Zewe; our Athletic Director, Larry Michelangelo; and our Captains, Anthony Mariani, a Bloomfield resident; Todd Orlando, a Squirrel Hill resident; Jamie Lichota, a suburbanite from Penn Hills; Vince Yoos is also from Penn Hills; Alex Pampena from Penn Hills; John Amodeo from Oakmont; Maurice Lucas from right here in Oakland.

I'd just like to say a couple of things. First of all, I told our kids before the game at Penn State that really we were not playing this game for Western Pennsylvania and the 50 people in that room. But technically, we really were because the kids went out there and, as Mr. Pollock said, we came from behind against an undefeated team in the second half on a freezing cold day and it just showed a lot of character. It kind of just showed what our Western Pennsylvania football is all about. We've gotten so many letters and so many congratulatory notes and calls from alumni and people that aren't even related to Central, that it's just made us proud and very happy to be associated with these guys. We're going to miss all these seniors tremendously and, again, I'd like to thank you for this great honor. Thank you very much.

**Mr. DePasquale:**

I just want to add my congratulations from City Council and the City of Pittsburgh for what Central Catholic has done for the City. I myself did not go to Central Catholic, although I'm accused of it down through the years; I went to Schenley High School. I did have four sons that went to Central Catholic and I do

have two grandsons going there now. One, incidentally, was on a special team; you might have seen him a couple of times, No. 11, during the game.

But seriously, again, congratulations. A wonderful job, gentlemen.

**Mr. Coyne presented**

No. 1801 Resolution amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing Line Item EC 88-28 by \$550,000.00 and by adjusting the Summary Totals. EC 88-28, Engineering Services is being increased by \$550,000.00 to cover Salaries for the balance of 1988.

Which was read and referred to the Committee on Engineering and Construction.

**Mr. Wagner presented**

No. 1802 Resolution providing for the transfer of \$11,000.00 from Code Account 57-1, Index Code 005710, Retirement Severance Pay-Sick Leave to Code Account 30, Index Code 003004, Refunds-All Other Taxes. This transfer is necessary so that sufficient funds are available to issue earned income and business tax refunds for the remainder of the year.

Which was read and referred to the Committee on Finance.

**The Chair presented**

No. 1803 Resolution approving the Allegheny County Sanitary Authority's resolution reapportioning the representation of the City of Pittsburgh and Allegheny County on the Authority's Board. This resolution allows the County and the City to pick three Board members each and the seventh member will be selected by the County and City jointly. --- (SPONSORED BY MR. WOODS)

Also,

No. 1804 An Ordinance amending Section 1 of Ordinance No. 40, approved February 15, 1955, entitled, "An Ordinance signifying the desire of the City of Pittsburgh to become a member of the Allegheny County Sanitary Authority; authorizing the publication of the required Notice and filing with the Secretary of the Commonwealth of the required Application, pursuant to the Municipality Authorities Act of 1945, as amended; and appointing the City's three members of the Board of such authority;" by providing that three members be appointed by the City, three members appointed by the County, and one member appointed jointly by the City and County of the Board of such authority. --- (SPONSORED BY MR. WOODS)

Which were read and referred to the Committee on Finance.

Also,

No. 1805 Resolution authorizing and directing the Director of City Planning to prepare necessary legislation to transfer \$200,000.00 of prior years unspent CDBG funds into Code Account CC89-

03, Pittsburgh Community Services, Inc., Hunger Program. --- (SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

**REPORTS OF COMMITTEES**

**Mr. Wagner presented**

Bill No. 1806

Report of the Committee on Finance for December 14, 1988 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1610

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

Mr. President, on Bill No. 1610. This is the piece of legislation reducing the wage tax one-half of one percent. First of all, I'd like to ask that my comments be brought forward for the Record on this piece of legislation from last Wednesday's meeting.

Mr. Ferio:

Mr. President and members of Council, I would like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

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(MR. WAGNER'S COMMENTS ON BILL NO. 1610 - Wednesday, 12-14-88)

Mr. Wagner:

I would like to mention, first of all, in my proposal some of the things Mr. Pollock said were correct and some are not. In my proposal I wanted to reduce the wage tax one-fourth of 1 percent, and not one-half of 1 percent. Consequently, since that time -- and I made that suggestion to my colleagues and also to the Mayor's office prior to the Mayor presenting her budget to City Council. And the Mayor presenting her budget to City Council, several of the items that I suggested in the letter to Council were included in the Mayor's budget, such as the unfunded pension liability. Council passed the bill approximately six weeks ago, and we knew at that time that we were going to receive at least \$1.5 million in addition to what we were receiving from state government in the future. I incorporated that into my proposal, I incorporated some other items, such as monies that were sitting in trust funds, I incorporated some other items which I hoped for this Council to adopt, which is a slight reduction in travel expenses for the city for next year, and some other possible reductions, through attrition and other innovative financial ways, possibly tax collection more aggressively, and one additional item, which was to eliminate the 2 percent discount on amusement, occupational and property taxes. After further discussion with Mr. Sciortino and Mr. Turner, I was advised that that wouldn't really be a prudent thing to do, because some of those agencies actually represent our collection service, in particular with occupational tax and amusement tax. That is the reason why there is a 2 percent discount.

I would disagree with my colleague, Mr. Pollock, in regard to the School Board. We passed a resolution in front of Council several weeks ago, and I appeared in front of the School Board Monday evening and I made an address to them. I told them how this city was able to achieve cost reductions over the last five years. If anyone looks at budgets over the last five years, you will see that there has been 300 to 400 less in employees in the budget between 1988 and back in the early '80's for a cost reduction each and every year of over \$13 million.

That basically was my suggestion to the School Board, to look at cost reductions through attrition and other cost saving measures. I firmly believe that what we are proposing, a one-half percent reduction in wage tax, is a significant -- and I repeat, a significant -- reduction in the wage tax. We will be lower than the School Board if we pass that reduction.

Consequently, I believe it should be the action of the School Board to make movement in the direction of a reduction in the wage tax, so that we jointly can have a more significant impact overall on the wage tax.

I would further suggest to this Council that we move forward on the suggestion of reducing it one-half of 1 percent, and go through the preliminary vote on the budget tomorrow and see whether or not it is the thought of this Council through the majority of this Council that further reductions will be made in the budget, which could institute cost savings, which could

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further mean that we could reduce the wage tax at the Monday meeting.

Now, if that doesn't pass, if measures proposed by any Councilmember do not pass tomorrow, I would not suggest that we go any further Monday, also. If they do pass, maybe we should entertain it. But we have not yet entertained a preliminary vote on the budget involving all departments and all other costs related in the budget.

Consequently, I would strongly recommend to this Council at this time not to go any further than one-half of 1 percent.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

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(MR. FERLO'S COMMENTS ON BILL NO. 1610 - Wednesday 12/14/88)

Mr. Ferlo:

I will second it for discussion. I think it is appropriate that we do allow representatives of the Administration to come forward and speak on this issue, for one, and two, I do think it is valid that the Administration respond to both the efforts of Mr. Pollock on his suggestions as well as Mr. Wagner, who earlier had drafted a memo regarding some other revenues that possibly could be generated independent of the Mayor's action, which obviously I applaud and I will support the one-half percent. But in light of a number of suggestions which I think do have validity both from the Chairman as well as Mr. Pollock, I do think we should entertain a response from the Administration before we, in final form, vote on this bill.

(Deleted text.)

Mr. Ferlo:

I think the context of the discussion is I don't believe there is any debate or disagreement on the one-half percent. I think the issue is can we do better based on some of the concrete suggestions that have come forward over the last month.

(Deleted text.)

Mr. Sciortino:

To the Council's question concerning further reductions, we have spent a considerable amount of time and effort to develop a proposed budget that has a one-half percent wage tax cut in it, and we have taken as much as we think is reasonable in terms of all activities. We have looked at a number of suggestions. And I have to say that in the past Councilman Pollock has presented to all of us a whole series of initiatives that would generate potential savings, and we have, over the last year in conversation and in business analysis of what goes on in our whole department looked at each one of those points that were presented to this Council last year. We feel that what we have presented is as far as we dare go so as not to become irresponsible or having our wishes and our dreams in front of us, as opposed to some business reality. We don't believe that we can go any deeper because of the seriousness of what we are doing. We cannot afford to make a mistake, we do not want this to be, and the Mayor has said to all of us in the Administration who have been working on this that this is not intended to be a one year program, this is intended to be a permanent cut, and we would not want to and feel very serious about not suggesting that we look further at this point in time so as not to jeopardize the permanent nature of that one-half percent cut.

All of us feel very strongly about the need to further reduce the wage tax burden. Your efforts in trying to encourage the school district, for example, are applauded, and I, for one, being an official of the school board as well as the city

applaud that effort. But I don't think that we have the ability to withstand a deeper cut, and we will work very hard at coming forward next year with the same kinds of proposals that we presented this year.

We are trying to do everything that we can that is creative, everything that we can from the collection end, everything that we can from the legal end to drive the wage tax lower, but we don't feel that we can do that legitimately at this point. We feel that we will cross a boundary line that will put us into a position that we may never recover from, if we make a mistake there. We are being as liberal as we dare be.

Mr. Ferlo:

Was there a specific response from the Administration regarding each and every one of the various measures proposed by various members of Council?

Mr. Sciortino:

Councilman, I don't know about a specific response from the Administration, but I know that we took every single item that anyone recommended and looked at each one of those items. As I said, we took Councilman Pollock's list from last year with a variety of things. He and I traded correspondence on a number of those issues, looking at from the mundane issues of how much money we spend on copy machines and copy paper all the way to the series end of where are we with workers' compensation and payroll costs and what can we do there. We have looked at as many items as anybody has presented, and we will continue to do that, because we are not working at cross purposes here, our goal is to do exactly the same thing as you are proposing as a goal. We feel that relative to our strengths and weaknesses as an organization, that we dare not test those limits. We feel that we have proposed something that we can do and that we can succeed at, and we feel that beyond that there will be a cloud, and we do not choose to operate under that cloud.

Mr. Ferlo:

Mr. Sciortino, how do you address the predicament of the problem from a policy point of view of recognizing that the two taxing authorities, Council, the Administration of the city and the School Board, to my knowledge there has never been any direct dialogue, at least at the level where it should be, and that is the Administration and the Mayor with the School Board on the general issue of reduction on the wage tax? Do you not see this as a policy issue going into the coming year, regardless of what action we take?

Mr. Sciortino:

I do believe that that is at heart, that is at the corner stone on the public policy decisions that both those public bodies have to make. I can't speak for the Mayor's office in terms of what they have done with informal or formal contacts.



I do know what the Treasurer's office has done, at least since July, trying to develop lines of communication with the school district. From my point of view, they are not the enemy, they are in the same predicament as we are, they serve the same constituents as all of us here are pledged to serve. But we need to open that dialogue, because that have a different mind set, what we are all about.

We have attempted to, on a number of occasions, present proposals in terms of collection, for example, and what needs to be done. And as the collector of those taxes for the school district, there have been times when we have not received an answer back at all from the school district, because it is an easier position for them to take not to respond, because the responsibility really is at our end. And I do think we need to work very hard at that, that we are not going to approach them in an adversarial way.

Mr. Ferlo:

I wasn't proposing that be an adversarial way, but what I am suggesting is our two tails are tied together, and that to my knowledge, whatever action we are taking, progressive or otherwise regarding a change in the tax structure for the city, that is being done somewhat in a vacuum without any district dialogue and interaction with the School Board. If part of the impetus for a lowering of the 4 percent reduction in wage tax, if part of the impetus is the need to respond as to the perception that people do not want to live in the city as opposed to the suburbs because of what they feel is an onerous tax, then if we are going to struggle to deal with this issue, it has to be something we jointly plan and respond to with the School Board.

My fear is regardless of what actions we take to lowering the wage tax, we will, on one hand, be lowering it at the city side and the School Board, given their attitude and at least what I perceive their policy to be, will increase that and possibly better in the coming fiscal year. And we are playing a shell game that I don't think anybody benefits from.

So I am not suggesting that there be an adversarial relationship, I am only suggesting that somehow the public policy that we are trying to achieve on the city's side with the Mayor, with the Administration and Council, there's got to be that parallel of understanding and commitment with both sides appreciating the predicaments that each one is in. And so far, as we approach the final hour of approving this package, I don't sense that anything has moved in that area. Maybe I am wrong, I hope I am wrong, but it doesn't seem evident that I am wrong.

Mr. Sciortino:

We have written recently to the School Board and have asked that the Treasurer's office be advised of all of their meetings, because we will send -- either the Treasurer will be there or representatives will be at each of their meetings from now on, because we do have an official position on that board and we will use that to attempt to present the public policy positions.

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Mr. Ferlo:

Would the Administration consider supporting, given the fact that we have the enabling legislation and the tax reform package having been approved by the state, would the Administration support the formation of some type of citizen's panel or commission whereby the players would be not only the legislative branch of government and the Mayor, but possibly School Board members and other third party economy league type folks where maybe to help bridge the perception of an adversarial relationship, we can begin to do some joint planning in the coming year, one to deal with the impact of the House Bill 9 and also trying to deal in what you say is a non-adversarial way and recognizing what their predicament is, because they have more limitations on what they can do tax-wise than we do, in terms of generating revenues.

But I would strongly urge the Mayor to consider creating some type of citizen's panel or commission where we can become players in this process, because right now it is Councilman Wagner going out or myself going out and maybe other Councilmembers have gone out to address the School Board only to be shut off if we are speaking longer than four and one-half minutes. That is not the way to do productive planning in this City. I would like to see, if we do vote on this, a clear leadership position the Mayor is going to take in the coming year, otherwise we were just playing a shell game with this lowering the wage tax.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

**Mr. Wagner:**

In addition to that, I'd like to state that, in my opinion, this is the most significant piece of legislation to come through this Council since I've been on this Council, and possibly longer. It represents a significant reduction in the wage tax; for each \$10,000 that a person earns, it will save them annually \$50 in wage tax to the City of Pittsburgh. For a person that makes \$20,000, it's \$100; if a person makes \$30,000, that's \$150 in savings. It's a tax reduction. We seldom ever hear in government of a tax reduction and I believe the Mayor's recommendation, of which this Council obviously appears to be following through on, is one of the best things and one of the most positive signals being sent to the number one problem that exists in the City of Pittsburgh, which is the wage tax which is jointly shared by the City of Pittsburgh and the School Board.

In addition, I believe that the only way we could reduce our portion of it further at this stage is to lay people off. The Administration knows that. I believe this Council knows it. This Council is doing some other things such as increasing some fees and some fines which are offsetting this. But the only way we can reduce this further, I believe, would be to lay people off and that would be the wrong thing to do.

Finally, I am hopeful, and I believe the majority of this Council is hopeful also, that the School Board will join us in this endeavor, that they will also face the fact that the wage tax is the number one problem in this City in terms of

attracting people to the City and keeping people in the City. And I am hopeful that they realize that problem and they will find ways also to reduce the wage tax.

**Mr. Pollock:**

I also have comments on Bill No. 1610. I've been on Council for almost three years and I've made it my number one priority to try to get this Council and this Administration, or the previous Administration, to lower the wage tax. I must agree with Mr. Wagner that this is the most important piece of legislation that this Council will have voted on in my three years and it is a great day for the City of Pittsburgh that we can make such a sizeable chunk of a reduction in what comes out of the people's pockets, people who live in the City.

I have said repeatedly that we have to go a lot further than we are going in a half percent. I've talked about a level playing field between the City and the suburbs. We're getting a half percent closer but that's nowhere near enough and I hope in the future, I'm confident in the future, we'll be able to even go further.

Many people have asked that the School Board lower their wage tax because they are such a significant part of the wage tax; I don't think that we have the right to ask them to do that until we start making some very, very hard decisions as well. This wage tax that we're voting on today is a result of the imagination, the innovation and the skills of our Finance Director, Jim Turner and our City Treasurer, Henry Sciortino.

The School Board doesn't have the ability to do the things that we are doing today to lower the wage tax. They don't levy fines or provide licenses and they didn't receive a windfall from pension refinancing and so forth. So, we can't ask the School Board to do something that we ourselves aren't doing. Maybe we have to look at the budget and maybe layoffs are appropriate, but that's a question for another day.

I'm not real satisfied with only a half percent reduction, although I am happy. I think it could go further. But as an indication and a sign of my support for the Administration, for Mayor Masloff, for Finance Director Jim Turner, for City Treasurer Henry Sciortino, and for my colleagues as a sign of harmony and a sign of working with them so that, hopefully, this Council unanimously passes a tax reduction, I will be voting for this half percent reduction and consider this a giant, giant step forward and a great move for trying to get people to stay in the City and to locate here when they come into this area.

**Michelle Madoff:**

I think that most of Council, or all of Council, has got to support the half percent decrease. The City is just not competitive with the suburbs. We've seen the loss from 700,000 people to something like 350,000 as anticipated by the 1990 census.

When I had said I would run for Mayor, the platform I was hoping to run on would a quarter, even an eighth or a quarter of a percent just to start moving in the right

direction. And when the Administration came up with a half percent, there was no point in running because I think they've done better than I thought I could do. Granted, there was monies returned from the State, but that money didn't have to be used in this manner had the Administration not decided to give some relief on tax reform and to show people that we are indeed moving in the right direction.

Now, a statement was made that in order to reduce the taxes even further, we'd have to lay people off. I don't believe that's so. I don't think we can reduce it more than a half percent this year but I would hope that by next year when tax reform has passed, hopefully, and the Commissioners have initiated the sales tax, that we would then use those dollars to again lower the regressive taxes, business privilege, amusement tax, mercantile tax, the things that keep business people from wanting to locate in our City.

And then there's another area that nobody has talked about; sheer and utter waste. I think the new Administration is starting to look at, and I've talked to them, about how we can make government more efficient and how we can plug up some of the real losses in dollars to taxpayers. For example, it didn't take a genius for me to figure out that if we were only doing tax collections and audits, the taxes on the people who haven't paid, I'm not talking about all of us who pay our taxes for 1987, we're just getting 1988 taxes. But if we're only working on audits on businesses and individuals for 1985, with the new tapes that are going to

be available from the federal government so that we can be more efficient and creative by going to outside people to bring us up to date so that we're indeed working on the '86, '87 and '88 taxes, we're saying \$6 million collected up front. In addition, when we stop through the legislation, I hope we will get from Jim Josephs as soon as he can get it back to us, he says it's very complicated and involves changing many of the existing regulations already on the books, and that is what is taking such a long time. But when that bill comes to us which will stop once and for all the advertising of not to exceed dollars, when we stop saying we have a contract to demolish a building for \$70,000 and the bids come in at 66 and 68 when they could come in, I know, at 14, when we begin to stop giving monies away by virtue of saying come and get us because we have this money, by saying we have \$3.2 million for Phase II and the bid comes in at 4-4, which is another side of the coin, it's not the same thing it's another issue, when we start to have an in-house cost estimator to know what the costs really are, we are going to save millions and millions of dollars for taxpayers. And at that point we're going to see an ability to lower our taxes without having to lay anybody off.

So, it's a composite of the new tax reform, the monies that have come back to this state, the Administration using the money correctly, and now starting to clean our own house and starting to generate all kinds of dollars that will allow us to even lower tax rates by next year substantively.

Mr. Ferlo:

I would also join in in applauding Mayor Masloff not only for her budget message but for the bill that we have before us today in relation to the tax cut on the wage portion of our revenues. And also the Mayor's staff who I think has worked very hard, and for that matter, I think Mr. Wagner in his role as Council Finance Chairman over the last month and a half. I do think, also, that it's very critical that we again issue a call and a plea to the other taxing authority in City government, the School Board. I sensed a willingness on the part of Mayor Masloff the other day during the tax briefing to support my suggestion of a commission that in this coming year, regardless of the action that we're taking today to lower the wage tax, we need to jointly plan out and discuss with the other taxing authority, the School Board, how we're going to deal with the 1990 budget and the 1991 budget. I think it's very critical that we propose some type of a commission that can be represented not only by the Mayor and some of her staff, members of Council, but possibly some others from the community such as Economy League and other types of civic business and neighborhood leaders who could be part of the Commission and engage in a non-adversarial communication process with the School Board regarding tax reform in the coming year. It's not going to be any good for us to engage in a shell game with the people here in the City of Pittsburgh whereby we are taking one step to lower the wage, only to find out that the other taxing authority will increase it by that, if not much more. We have to plan together; we have to do

it cooperatively in the spirit of recognizing that we do not want to shortchange education in this City. It's equally as important as public safety and having paramedics and the garbage picked up. We need to sit down and plan together.

I'm upset at the comments by the Board president, Barbara Burns; a very nasty attitude in the paper she expressed upon winning the election about how she would not engage with City Council in a so-called sideshow or what have you. I don't think that's going to get us anywhere. I know Mr. Wagner has addressed the Board; I've addressed the Board this past year on this issue alone.

I would suggest that a commission be set up and I would hope that the Mayor would fall through on that issue in the coming year. I do think it's important, however, that regardless of the tax cut that we initiate today at the request of the Mayor and the Mayor responding to what obviously has been the majority of Council's will since this past year, we cannot lose sight of the fact that we in City Council must continue to scrutinize the City budget every Wednesday and every Monday in the coming budget year. We need to continue to provide oversight on expenditures. We need to continue to support department directors as well as Councilmembers who come up with suggestions for various economy moves of which there have been many this past year. And I do think we need to look specifically at reviewing the cost of consultants in City government, specifically in Engineering and Construction.

I do want to close by saying

that as part of this on-going process of lowering the wage tax, we sensed an indication from the Mayor and the Director of Finance the other day that with the tax reform package in Harrisburg we would be able to further reduce the wage tax by possibly an eighth of a percent in the year 1991.

Those are the things, short-term, that we need to progress towards and, again, I cannot stress enough the need for the School Board to take off their myopic glasses and begin to participate in a creative process of planning for their needs as well as the needs of everybody here in the City.

**Michelle Madoff:**

One very quick comment. One of the areas I inadvertently overlooked is workers' comp. There's no doubt in my mind that when the new program of surveillance goes into operation very shortly that we're going to catch the anticipated, or has been suggested, approximately 25 percent of the people who are on workers' comp who could come back to useful duty in the City, light duty perhaps, and people who may or may not be faking. So that those police officers and those firefighters and those paramedics who are putting their life in danger every day will have backup people because we'll have the staff to support them and we will have substantive savings to taxpayers.

Again, let me point out something that wasn't stated today that we know that perhaps the public has forgotten. For every quarter percent that we wish to lower our wage tax, the City's portion, that represents \$7.5 million. If we

could raise \$7.5 million somewhere next year from either workers' comp surveillance, stop the giveaways, as you say, Mr. Ferlo, the consulting fees, stop advertising come and get us, start to get our audits done in a more timely fashion by getting any backup service, we will have easily \$7.5 million and perhaps we could do an additional quarter percent to bring us more in line with the suburbs. Thank you.

**The Chair:**

I would just like to add that I, too, echo many of your thoughts and I commend Mayor Masloff and the present Administration for taking a bold step to cut this wage tax by a half percent. But, I would like to remind this Council that over the last 6 or 7 years, this Council and Councils previous to this Council, have taken many, many steps to save the taxpayers money, to come up with original legislation, as Mayor Caliguiri did, to lead up to this day that we can cut this wage tax by a half percent. This is a very important piece of legislation since I've been on Council, but there has been a lot of other legislation just as important that led up to this day. So I feel that we on this Council can help take credit along with the last Councils for the last 6 or 7 years for this tax decrease today, and I could sit here and name you the legislation that we saved on this Council, taxpayers' money, and I too will vote for this and I commend everybody.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1621

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1989."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1727

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company in the amount of \$45,805.15 in payment of Construction Services in connection with the Reconstruction of a Retaining Wall at Phelan Way; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1741

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Penn Paving, Inc., in the amount of Sixty Thousand (\$60,000.00) Dollars in payment for extra work furnished for the benefit of the City in connection with the Renovation and Replacement of concrete sidewalks for improvements to the Three Rivers Stadium."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne Mr. Pollock  
Mr. DePasquale Mr. Wagner  
Mr. Ferlo Mr. Woods  
Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1754

A Resolution entitled, "Resolution transferring \$29,000.00 from the Department of Water, Miscellaneous Services, Code Account 1922 (192203) to the Information Systems Office (C.I.S.), Code Account 1043 (104307), Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne Mr. Pollock  
Mr. DePasquale Mr. Wagner  
Mr. Ferlo Mr. Woods  
Michelle Madoff (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative,



the bill passed finally.

Also,

Bill No. 1757

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,000.00, payable to Domenico DePasquale, an incompetent person by and through his guardian ad litem Sabbia Tomchik, c/o Mario P. Melucci, Esq., 3265 West Liberty Avenue, Pittsburgh, PA 15216."

Which was read.

Also,

Bill No. 1758

A Resolution entitled, "Resolution providing for the issuance of a warrant to John P. Thornton, in the amount of \$5,000.00 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1759

A Resolution entitled, "Resolution providing for the issuance of a warrant to Harold E. Evans and Jenny Evans, his wife, in the amount of \$10,000.00 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1760

A Resolution entitled, "Resolution providing for the issuance of a \$3,089.70 warrant in favor of Joe Palmieri in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1761

A Resolution entitled, "Resolution providing for the issuance of a \$1,137.27 warrant in favor of August Valente in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1762

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Trinity Evangelical Lutheran Church in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Ferlo           Mr. Woods  
Michelle Madoff    (Pres't Pro tem)

AYES    7            NOES    none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1763

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Peat Marwick Main and Company in the amount of thirty-four thousand eight hundred and seventy dollars (\$34,870.00) in payment for additional work for the completion of the annual city audit for the year ending December 31, 1987; and providing for the payment thereof from Code Account 1063, Index Code 106302, Miscellaneous Services, Department of Finance."

Which was read.

Mr. Pollock:

Bill No. 1763 is the bill that has to do with additional fees to be paid to the independent auditor, an amount of almost \$35,000. It should be pointed out that every year we have to pay an additional amount of money to the independent auditor because of the additional work that's involved in auditing the Controller's Office. I think that the time should come when this Council says enough is enough, that this money is a waste, that it's money that could be used for much

better purposes in the City of Pittsburgh, and that we should be looking long and hard at not authorizing these and supporting the funds coming out of some other source rather than City taxpayer dollars. And if, in fact, there is some type of misfeasance or abuse of the taxpayers' dollars, that this money should be recovered. So, I will be voting against this.

Michelle Madoff:

On Bill 1763, can we, and perhaps the Finance Chairman might have an answer to this, can we bill to the Controller's Office the \$34,870 out of his expense account? Since it is true that the Peat Marwick bill was incurred to audit the Controller, then he ought to pay for it.

The Chair:

It doesn't matter; it still comes out of the City coffers.

Michelle Madoff:

No, it comes out of his allocations of dollars.

The Chair:

It comes out of the City coffers, a general fund, and it comes out of there. The Administration is the one that hires them to do the audit so they have to pay for the audit.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Wagner  
Mr. DePasquale    Mr. Woods  
Mr. Ferlo            (Pres't Pro tem)

AYES    5            NOES    2

(MICHELLE MADOFF AND MR. POLLOCK  
VOTING NO)

And there not being two-thirds  
of the votes of Council in the  
affirmative, the bill was tabled.

Also,

Bill No. 1764

A Resolution entitled, "Resolution  
providing for the transfer of  
twenty-six thousand dollars  
(\$26,000.00) from Code Account 57-1,  
Index Code 005710, Retirement  
Severance Pay-Sick Leave to Code  
Account 51, Index Code 005108,  
Postage."

Which was read.

Also,

Bill No. 1765

A Resolution entitled, "Resolution  
providing for the transfer of a  
total of \$800,000.00 from the  
following code accounts: \$210,000.00  
Salaries and Wages, Regular  
Employees Distribution Division,  
Department of Water, Code Account  
1980, Index Code 198002, \$190,000.00  
Salaries and Wages, Regular  
Employees, Street and Sewer  
Maintenance Division, Department of  
Public Works, Code Account 1608,  
Index Code 160804, \$200,000.00  
Municipal Obligation for Non-City

Water Agencies, Department of Water,  
Code Account 1926, Index Code  
192609, \$100,000.00 Group Life Plan  
- Municipal Employees, Code Account  
54, Index Code 005405, \$100,000.00  
Retirement Severance Pay-Sick Leave,  
Code Account 57-1, Index Code 005710  
to Health Insurance-Municipal  
Employees, Code Account 45, Index  
Code 004507."

Which was read.

Also,

Bill No. 1766

A Resolution entitled, "Resolution  
authorizing the transfer of two  
hundred thousand (\$200,000.00)  
dollars from the JTPA-2 Trust Fund,  
Index Code 260356, to the General  
Fund of the City of Pittsburgh for  
reimbursement of Indirect Costs of  
the Job Training Partnership Act  
Program for Fiscal Year 1988."

Which was read.

The Chair:

Is there any discussion on the  
bills?

And on the question, "Shall the  
bills pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Ferlo            Mr. Woods  
Michelle Madoff    (Pres't Pro tem)

AYES    7            NOES    none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1767

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to defend the Petition for Attorney's Fees filed against the City of Pittsburgh, Richard Caliguiri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et al. v. City of Pittsburgh, et al., in the United States District Court for the Western Pennsylvania at C.A. No. 86-173, at a cost not to exceed \$40,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code 107508."

Which was read.

Michelle Madoff:

I have a very touchy subject to raise and I think this is the appropriate time. On Bill 1767, we are voting to pay for a solicitor to represent members of Council in a lawsuit filed against the City of Pittsburgh. It represents former Mayor Caliguiri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley. And that's in the case of the Metropolitan Pittsburgh Crusade for Voters.

I have a letter that I sent to Dan Pellegrini on September 29th. I'm just going to read excerpts from it because I think the issue is not one that I should be addressing here in Council. But it essentially says:

"Elected officials or employees of the City are all subject to being sued or requiring legal counsel and are official capacity. It is obvious that should we require the services of an attorney to represent", this is me but I'm changing it to be any of us, "at any time during our tenure, the City Law Department would have to represent us or an outside counsel if it became a conflict of interest. There must be some provision available for reimbursement of legal fees for elected officials who require counsel because of their office."

If anybody is involved in litigation because they serve as a member of Council, or the Mayor, or perhaps a department head, because somebody chooses to get involved in activities that require the help of an attorney, I believe, as I've stated here, as you are aware in my official capacity as Councilwoman, if I was not a Councilperson I would never have been contacted.

There is a bill that has gone up to Dan Pellegrini several times. I have not introduced it in Council because I just really didn't know the procedure. But since we have legislation before us now, I think we need to have some uniform way of dealing with Councilmembers contacted in their line of duty and need legal counsel to be represented and there must be some provisal to pay those fees.

**The Chair:**

Let's stick to this issue.

**Michelle Madoff:**

It's the same issue. How are we going to pay this one? If we're going to pay this one, we're going to pay the others.

**The Chair:**

Mr. Pollock, you have the floor.

**Mr. Pollock:**

On Bill 1767, as I commented on the Wednesday session, I'll be voting against this for several reasons; number one, I believe that this could have been done in-house with the attorneys that the City's Law Department has on its own. Number two, and Mr. Pellegrini, as Solicitor, acknowledged this, this bill is for payment for services that were rendered to the City without any authorization by this Council. The standard interim approval procedure was not followed. Every other department is forced to do this and I think that the Law Department should comply with this as well. This was the second time; the first time that these bills were obtained, the same policy was followed then, where the attorneys were hired without any authorization by this Council to do so. So I will be voting against this bill.

**Mr. Ferlo:**

Mr. Chairman, in relation to Bill No. 1767, on the \$40,000 payment to the attorneys on the lawsuit. I do think it's important

that we not be pound-wise and penny-foolish. In this situation, I believe, as the Solicitor indicated to Council, that there's a pending potential liability of some \$600,000 or \$700,000 should we lose out and have to make payment because of that legal action that was taken. The time to really act on this, and, unfortunately, I was not on Council last year, would have been to originally oppose, as I believe several members of Council did, the initial hiring of an outside lawfirm consulting on the case. That would have been the time to block it. But at this point, being so far into it, with the potential liability of that sum of money, I do think we should abide by the wishes of Solicitor Pellegrini on the need to do this suit. The fact that some \$27,000, or some amount of this \$40,000, has already been expended, I do think we should criticize the Solicitor for acting in that fashion and remind himself and all the department directors that they must seek interim approval for those kinds of expenditures. But at this point, it seems like even, if I understand the precedent on Council, I don't know that we've ever deducted that money from any department director who hasn't followed that procedure. So, in this situation, I think it's important that we have to pay the bill and in addition, the authorization to go to the \$40,000.

**Michelle Madoff:**

I'm a little confused on 1767 and I'm going from memory. But it seems to me that they're sore winners, not sore losers but sore winners. This Council, it was my legislation that put the referendum question on the ballot, and when that passed, it became a fact that

we were going to election by district. And if memory serves me well, Dan Pellegrini came to this Council and said, maybe somebody else will remember, the reason they were going to this counsel was that they needed someone who had equal ability on our side who understood this particular kind of law. There was only one or two firms in the country who really had expertise in apportionment, election by district. And that's why they went to this firm; they didn't have the expertise in-house. That's what they told us. And I bet if we went to the Minutes, that's what it would reflect. Am I right, Mike?

**Mr. Perry:**

Probably.

**Michelle Madoff:**

I'm almost positive. That's why we voted for it. We didn't vote for it just to give money away.

**The Chair:**

But the issue is whether we pay this bill or not.

**Michelle Madoff:**

That was my next question; I need some guidance. What happens if we vote against it?

**The Chair:**

We'll get sued by them. But let me put it to you this way. The reason Danny came to us, and I agree with you, they should come for interim approval if they don't have it, he thought he had the money. And if you recall, Mr. Pollock, he thought he had the money in his

account. When he got the bill, he realized he did not have the whole \$40,000 in his account. And that's why now he is coming to us to transfer this money to pay this bill. We should pay this bill. Mr. Pellegrini admitted to this Council on Wednesday that he was wrong. We can't punish him any more by not paying this bill because we're going to pay this bill. Either we're going to pay it now or we're going to pay it later, this \$40,000 plus a lot more legal fees when they sue us and we have our attorneys fighting the case.

So, I think that Mr. Pollock's comments are well taken. I'm sure Mr. Pellegrini is downstairs in his office; if he is in the building today, he's watching us. He will not do it anymore so I would ask you to shut off debate and let's pay this bill. We know we have to pay it and he did admit that he made a mistake.

**Michelle Madoff:**

I agree with you that we have to pay it and that was my point when I said that we need a policy on all paying of the bills.

Also,

Bill No. 1768

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article III, Depositories, Chapter 221, Contracts, Section 7, Lock Box System with a bank which Council has designated as Depository, which shall deposit incoming Real Estate payments, Water Bill payments, and delinquent Sewage payments, withheld Earned Income Tax (PGH-40) payments,

Mercantile Tax payments, Business Privilege Tax and Institution Service Privilege Tax into a Temporary Interest Bearing Holding Account.....by adding deposits of payments for but not limited to Amusement Tax, Parking Tax, Personal Property Tax and any other Taxes, Licenses or Fees and excluding the words Active and Inactive."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1772

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of E.H. Griffith, Inc., in the amount of Seven Hundred and Twenty-Two (\$722.85) Dollars and eighty-five cents in payment for parts for an Olathe Leaf Blower furnished for the benefit of the City without previous authority of

law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1773

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$1,500.00 for services provided for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1774

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chujko Brothers, Inc., in the amount of Nine Hundred and Seventy-Five (\$975.00) Dollars in payment for the rental of bleachers furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne            Mr. Pollock  
Mr. DePasquale    Mr. Wagner  
Mr. Ferlo           Mr. Woods  
Michelle Madoff    (Pres't Pro tem)

AYES    7            NOES    none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1787

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.09, Advance of Expenses." --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1788

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article I - General Provisions, Chapter 181, General Provisions, Section 181.07, Approval of Bills for travel expenses, by changing "Approval of Bills for Travel Expenses" to "Department of Head's Approval for Travel". --- (SPONSORED BY MR. WAGNER)

Which was read.

Mr. Wagner:

Mr. President and members of Council, there are two pieces of

legislation in front of us today that I think are significant bills which will reduce the overall cost of government. They are Bills 1787 and 1788, relating to travel authorization by department heads within that specific code account in that department. There are three changes being made here; one, you're aware of, the budgetary item which is consolidating all education and training and travel in one code account in each department so that we really know where those monies are coming from beginning in 1989.

In addition to that, we are giving the department head, in essence, the authorization to determine who travels and when they travel within their department within the budgetary amount directed by Council in the upcoming year's budget. They cannot exceed that amount. For instance, if there's \$10,000 in a department for education, training and travel, they can spend up to that amount. They cannot exceed it. If they have to exceed it, or they want to exceed it, they have to come back to Council.

In addition to that, there's a couple other safeguards, I believe, incorporated in the bill. Prior to any travel authorization, the department head must notify Council in written form, which means that they will have to send a letter to the City Clerk and present members of Council.

In addition to that, another safeguard that's incorporated is that each department head must submit a quarterly report no later than 10 days following the end of each quarter consisting of the names of employees, locations, and amounts



incurred for education, training and travel.

What does all that mean? Well, all of us know how many bills come in front of Council of that type on an annual basis. That will not be necessary unless they exceed the budgetary level. That should reduce significant amounts of time by the City Clerk's Office and staff, department directors coming to Council and sitting here a couple hours simply for one travel bill, staff work involved, and the cost incurred also.

There is a caveat involved in this and we reduced the travel budget by 10 percent in the budget for any travel, education and training, amount in excess of \$10,000 and the Administration has committed to consolidate travel, education and training in terms of through one travel agency in the future. In the past they have done that independently within each department, and costs have been greater. So, consequently, they have committed to do that and I think they can reduce costs in that manner also.

In summary, I'd just like to say that I think the two bills are positive. Several Councilmembers, particularly Mr. Ferlo, has recommended this and I think the two bills are an excellent idea and will save the taxpayers money.

Also,

Bill No. 1789

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates for sale of properties in various Wards of Pittsburgh, in

accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1790

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1791

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI in the

amount of \$1,071.25 for the purchase of Fonts for the laser printer in the City Clerk's Office, without previous authority of law, chargeable to and payable from Code Account 1005, Supplies, City Clerk's Office, (Index Code 100503)." ---  
(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1807

Report of the Committee on Public Works for December 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1742

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 56, approved February 11, 1988, effective date February 15, 1988, entitled, "Granting the privilege and license to construct, maintain and use at their own cost and expense a Parking Area on a portion of the right of way of Maurice Street in the 4th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 1743

A Resolution entitled, "Resolution granting unto Carol Katich of 2468 Toner Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense an off-street parking area on a portion of the right of way of Clarence Way in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1744

A Resolution entitled, "Resolution granting unto Edward D. Goslin, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a guard rail and fire escape landing on a portion of the sidewalk of Dasher Street in the 22nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1745

A Resolution entitled, "Resolution granting unto L.C.C. Graphics, Inc., 2900 Smallman Street, the privilege and license to construct, maintain and use at their own cost and expense a canopy over a portion of the sidewalk of 2900 Smallman Street in the 6nd Ward of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1746

A Resolution entitled, "Resolution granting unto William and Frances Herron, 1212 Leaside Drive, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a rear yard extension on a portion of the right of way of G-Way in the 31st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1747

A Resolution entitled, "Resolution granting unto James N. Stasenko, 3100 Mission Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a deck over a portion of the sidewalk of Northview Street in the 16th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1786

A Resolution entitled, "Resolution amending Resolution No. 187 of 1983 entitled: 'Establishing an Animal Control and Animal Welfare Trust Fund,' by including as allowable expenses 'miscellaneous services, supplies, materials, repairs and equipment related to Animal Control' to be paid out of the Trust Fund." --- (SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo for Mr. Lyons presented

Bill No. 1808

Report of the Committee on Planning, Housing and Development for December 14, 1988 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1673

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Chapter 911 'Fee Schedule', Section 911.01 'Fees Established' by increasing the fees."

Which was read.

Mr. Ferlo:

On Bill 1673, on the increases and various zoning permits, I want to thank Director Lurcott for working on a very fair fee schedule.

Also,

Bill No. 1748

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1749

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 17th Ward of the City of Pittsburgh designated as Block and Lot 13A-164 in the Deed Registry

Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1750

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by James P. Pastorius and Theresa Pastorius, his wife, and designated as Block and Lot 12E-170 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1751

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pittsburgh designated as Block and Lot 23L-193 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning

Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1752

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 4th Ward of the City of Pittsburgh owned by Emil Niccoli, et ux, and designated as Block and Lot 29D-24 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1753

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Raymond Gorick and Jean Ann Gorick, his wife, and designated as Block and Lot 80N-57 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1712

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Forbes Trail Development Company and/or Moose Medical Associates for the sale of Block 23L Lot 101 in the 22nd Ward of the City of Pittsburgh (COMMERCIAL REHABILITATION)."

Which was read.

Also,

Bill No. 1540

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing from "R2-T" Townhouse Residence, "M3" Light Industrial and "C3" Commercial Districts to "S" Special and "M1" Limited Industrial Districts certain property having frontage along CALIFORNIA AVENUE; MARSHALL AVENUE and MARVISTA STREET, 21st Ward."

Which was read.

Also,

Bill No. 1541

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by changing from "R4" Multiple-Family Residence District to "R2" Two-Family Residence District certain properties having frontage along KENTUCKY AVENUE; HOWE STREET; SOUTH NEGLEY AVENUE; MARYLAND AVENUE and COLLEGE STREET, 7th Ward."

Which was read.

Also,

Bill No. 1602

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "C3" Commercial District to "R5" Multiple-Family Residence District all that certain property bounded by: CENTRE AVENUE; the "C3" Zoning District boundary line located south of CENTRE AVENUE and west of SOUTH AIKEN AVENUE; and the Railroad right-of-way between SOUTH AIKEN AVENUE and CENTRE AVENUE as it coincides with the "C3" Zoning District Boundary Line, 7th Ward."

Which was read.

Also,

Bill No. 1603

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a five and seven-story physician's office building; and 827-stall parking garage; an eight-story west wing; and a two-story addition to the east wing to Shadyside Health, Education and Research Corporation/Shadyside Hospital on property zoned "R5" Multiple-Family Residence District located on the southerly side of CENTRE AVENUE and the westerly side of SOUTH AIKEN AVENUE, 7th Ward."  
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President, on Bill No. 1603, I'd like my comments brought forward regarding the Shadyside Hospital bill.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 1603 - Wednesday, 12-14-88)

Mr. Ferlo:

I have a question on 1603. Mr. Chairman, we had a lengthy public hearing, I thought it was a good public hearing, we got a lot of questions, and I thought Shadyside Hospital, the administrators and the board members who appeared, were very cooperative and obviously very informed and were able to provide a lot of information about the benefits of this hospital expansion.

We had asked for several items to be addressed by Director Lurcott and other representatives from the Administration. And I believe a little while ago during the course of our meeting, not long ago, we did receive this formal memo from, I believe, Director Lurcott. And the Director has addressed several of the questions we raised about the overall master plan in terms of number of employees, the projected number of employees and the questions that we raised about the tax revenues and benefits. Also, we had some questions about the processes of the hospital board in dealing with the community and citizen participation.

Having quickly read this, I think it adequately addresses the questions that were addressed at the public hearing. I want to thank the Director and his staff for this additional information.

I would like -- and I will introduce it on Monday, I want to compliment the representatives of Shadyside Hospital who submitted, I believe to all of Council this morning by way of letter, responding to some of the additional concerns about the cost benefit and some of the potential revenues, number of employees, tax benefits to be paid to the city, in addition to just the reality of the construction activity and all of the revenues and jobs and benefits to be accrued. I want to thank him for that memo, and I will enter it into the record on Monday.

I want to just state for the record, I sense the willingness on the part of the hospital board to address the issue of the possibility of having formal citizen participation, community representation, on their board. I hope that they will provide and have a future discussion on the board on that issue. I sense the willingness on their part to discuss that.

I am concerned that there is not a certificate of need application that has been approved by the state. The response from the attorney representing the hospital was that that is not needed at this time, it is being sought, and the construction activity as proposed cannot proceed unless the conditional use application is in place, that is fine with me.

And the other thing, I think there seems to be a window of opportunity regarding the year end and bonds and everything else. That is over my head as to why there is urgency on the approval of this before the calendar year ends. I do want to note that while we have no legal power to address this issue at this time, I wanted to stand firm that one of the reasons I raised questions about the issue of the payment in lieu of taxes, that the University Health Center and City of Pittsburgh has advanced forward and made a formal commitment by way of \$1

million a year, this expansion of Shadyside should not be looked at by Council and the city in a vacuum. There are other proposed master plans that will come before us from not only Shadyside, but St. Francis, West Penn Hospital, Allegheny General, as well as the University Health Center. I do believe from an advocacy point of view we must begin to raise this question on Council and the legislative branch of government regarding the issue of the payment in lieu of taxes, and irrespective of the amount of monies that the hospital may potentially pay as a result of some of the activities being taxable. There have been private meetings, there are some legal negotiations going on. I don't want to confuse that or diffuse that, but I hope in each and every one of these hearings in the future where Council is discussing rezoning and reviewing and approving conditional use applications, that we do a more thorough review than I have seen Council do in the past. Part of that review, in fact, was an amendment by Mr. Pollock regarding the parking situation. It has been rare that Council has reviewed the conditional use applications to the extent that we have on this one. It is usually the situation that we go by whatever the Planning Commission says. I would like to change that.

At this point I am happy with the response of Shadyside Hospital, I hope that they will continue to discuss the issue of community representation. I am not happy with the fact that they haven't come forward with a payment in lieu of taxes, and I don't see any legal ability for me to blockade this approval at this point.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)



The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. DePasquale  | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Woods presented

Bill No. 1809

Report of the Committee on Parks and Recreation for December 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1691

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1989."

Which was read.

Also,

Bill No. 1692

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at Phipps Conservatory, effective January 1, 1989."

Which was read.

Also,

Bill No. 1693

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at Pittsburgh Aviary, effective January 1, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |                  |
|----------------|------------------|
| Mr. Coyne      | Mr. Pollock      |
| Mr. DePasquale | Mr. Wagner       |
| Mr. Ferlo      | Mr. Woods        |
|                | (Pres't Pro tem) |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. DePasquale presented**

Bill No. 1810

Report of the Committee on Public Safety for December 14, 1988 transmitting sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1655

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles III, VII, IX, Chapter 713 Pawn Brokers, Chapter 715 Junk Dealers, Chapter 717 Antique or Second Hand Dealers, Chapter 719 Vendors and Peddlers, Chapter 721 Transient Merchants, Chapter 723 Trade Fairs, Chapter 763 Parking Lots, Chapter 765 Commercial Refuse, Chapter 771 Amusement Places and Producers, Chapter 773 Sunday Activities, Chapter 775 Carnivals and Street Fairs, Chapter 777 Mechanical Amusement Devices and Chapter 779 Public Dance Halls and Dances by raising certain fees."

Which was read.

**Mr. Ferlo:**

In regards to Bill 1655, license fees, I have a specific amendment which is before you that 719.06 under License Fee, Bill 1655, the formal amendment is: "Vehicle Peddlers. The fees for a vendor or peddler license involving the use of a vehicle shall be \$300 per year and all others shall pay a fee of \$200 per year due on or before January 31st of the current year."

I want to make that in the form of a formal amendment to the motion.

**Mr. Pollock:**

What was the number of the bill?

**The Chair:**

1655.

**Mr. Ferlo:**

Mr. Chairman, my amendment on 1655 is to raise the fees from \$200 to \$300 on a vendor with a vehicle, and from \$100 to \$200 for a street peddler vendor without a vehicle. It's an increase of \$100 in each one of the categories.

**Mr. Pollock:**

I'll second the motion.

**Mr. Ferlo:**

Mr. Chairman, you may remember that I was arguing for a flat \$500 fee in each category. The Chairman pointed out that that is not the wisest thing to do because of lots of different reasons which I won't rehash the debate in the Committee. But I do think it is important that these fees be commensurate with the costs associated for administrating the program. I talked about problems associated with the vehicle trucks, especially in the parks, the problems of litter and other kinds of debris associated with these trucks. I believe the increase revenue should be used to help in the purchase of containers so that Public Works and Parks can adequately clean up after these peddlers. And I talked about a lot

of other issues which I don't want to rehash.

So, it's in that spirit that I make a compromise amendment which I estimate will raise about \$30,000 in income.

There are 57 trucks, Mr. Chairman, you had asked that question, there are 57 peddlers with trucks who were licensed this past year and 103 on foot. Those figures actually suggest that there is not adequate enforcement because there are many more street peddlers than 103 and there are many more trucks than 57.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|           |                 |
|-----------|-----------------|
| Mr. Coyne | Michelle Madoff |
| Mr. Ferlo | Mr. Pollock     |

AYES 4 NOES 2

(MR. WAGNER AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

I just want to clarify that I'll be voting no on the legislation.

Michelle Madoff:

Excuse me. I think this is a point of order. Can we put the bill back in Committee and wait for some of our members to be here?

The Chair:

Wait a minute. This meeting isn't going any further until we get some order and you address the Chair. Most of you have been here for a number of years and you know the procedure. It's getting to be a joke. You want to just keep talking. You've been here for 10 years; you know what the hell is going on. Let's do it.

Mr. Pollock:

On Bill 1655 I abstain because my brother is a vendor and I don't think that this modest increase is enough. Accordingly, I don't think it's in his counter-interest, so I would abstain.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|            |                  |
|------------|------------------|
| Mr. Coyne  | Mr. Woods        |
| Mr. Wagner | (Pres't Pro tem) |

AYES 3 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 1656

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarms, Section 611.06 (a), Permits, by changing the alarm system permit fee and Section 611.07 (a), False Alarm Penalty, by changing the false alarm penalty fee."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1657

An Ordinance entitled, "An Ordinance amending Title Five - Traffic, Article VII - Parking, Chapters 541 - General Parking Regulations, Chapter 543 - Parking Meters and Chapter 545 - Off-Street Parking by increasing certain fines and eliminating discount periods."

Which was read.

Mr. Ferlo:

Mr. Chairman, in relation to this bill that was negatively recommended, I'd like to offer the following amendment which is on the table.

On Bill 1657, under 543.09 Penalty, I'd like to make a formal amendment that it be \$8 as opposed to the \$10. And on 545.05 Penalty, again, that would be \$8 instead of \$10, and the bill would remain with the elimination of the discount period.

Mr. DePasquale seconded the motion.

Mr. Ferlo:

From what I gathered from the lengthy discussion with her honor, Joan Melvin, the main concern here had to do with the problems, administrative bureaucracy, and nightmare associated with the discount fee. A lot of cost could be saved, a lot of administrative hassles could be resolved by eliminating the discount period. Recognizing the bill as amended with my amendments would eliminate the discount period.

I do think that our increase should be fair and incremental. I

think the the \$3 and the \$5 going to the \$8 in this coming year is more fair, and at the end of the year when we discuss the 1990 budget, we can think about raising it to \$10 in line with some other municipalities we were supplied a list with. But I think we need to be fair and incremental.

I do think we should respond to the will of the Administration on the issue of the problems associated with the discount period. But in terms of shoppers, competitiveness and some of the neighborhood business districts, the general hassle of many parking meters not holding a nickel and a dime and only a quarter. I think we should be fair to what amounts to be, I believe, 50,000 tickets written in this City. I've often criticized Public Safety as being a ticket, tag and tow operation. I think we should be fair and, in line with that, my amendment is for \$8 for both on-street and surface lots, and elimination of the discount period. And in that I ask for a compromise.

**Mr. Pollock:**

I've been opposed to the elimination of a discount period when it came up last year and again this year. It was enlightening to obtain a copy of the research that Chief Magistrate Melvin did regarding discount periods in other cities, and I was surprised to see that other cities don't have a discount period.

I agree with Mr. Ferlo that that was the main incentive for this bill, for the Public Safety Department and the courts to eliminate the costs involved in

having two separate costs, a discount period and a non-discount period.

Frankly, I feel that a person getting a meter violation and having to pay \$10 is simply too much. The person who pays that fine is the person who probably put the money in the meter to begin with. If they didn't put the money in the meter, they're probably not going to pay their fine. I think there is a direct relationship between who pays their fines and if they were acting in good faith. If they had no intention of paying their ticket, then they probably weren't going to put any money in the meter.

So, although I'm opposed to the elimination of a discount, I would accept as a reasonable compromise an \$8 penalty with no discount. But that creates an enormous problem, though. If Mr. Ferlo's amendment passes in the form as he proposed to us, obviously that's cutting \$2 off of the tickets which throws the whole matter of the balanced budget for these fines out of whack. I don't know what the final vote on that would be, but cutting 20 percent or more from the revenue generated by these tickets is a sizeable amount of money. The total increase was a half million dollars and, if we're eliminating 20 percent of that, we have to make up some money somewhere else. A lot of money.

So, I would support this as a reasonable compromise, but if this passes, then we have to look at these fines and say, "Hey, where do we make up this extra \$100,000 or more?"

**The Chair:**

I would just say that, unless Mr. Ferlo did some research on the subject, I believe that Traffic Court did their research. They came up with facts and figures at the meetings and I would ask you not to support this amendment, to go along with the Chief Magistrate's suggestion. We're the only ones, any municipality around, that has raised those rates in I forget how many years.

I disagree with you on one point, Mr. Pollock. Everyone is going to pay those fines eventually. That's why they have the boot. You might get away with it and not pay it today and you might not pay it next month and you might not pay it the following month, but you're going to pay it eventually. And instead of paying the \$10 or the \$8 or the \$3, whatever it may be, you're going to pay a heck of a lot more.

So, I would just ask, and that's the way I'm going to vote, that we go along with the Administration's suggestion on this point because they did the research, they have the facts. And, Mr. Ferlo, I know you're a hard worker and you might come up with some facts, but I don't have them in front of me and therefore I'm going to vote against your amendment.

**Mr. Ferlo:**

One point that I didn't address which is using the Administration's own legal justification for increasing fees, they argue continuously that the fee increases must be commensurate with the expenses. How can you then

conclude, based on this increase, when at the same time you're basically eliminating the largest part of the Administrative bureaucracy, and that is the discount period. So, I think there's a direct contradiction in the opinion from Solicitor Pellegrini and whoever else from the Administration who argue that increased fees must be commensurate with the reality of the Administration and enforcement. So, somewhere something doesn't add up right and if it's just a revenue source, a ticket, tag and tow operation, as I suggest, then we should just say that and make it \$50. But if it's commensurate in some way with the Administrative costs of executing the fine and collecting it and all that headache, we took away the main burden there regarding Administrative overhead and that is the elimination of the discount period. So, I think, Mr. Woods, there's still a contradiction there and it's in that spirit that I offer the \$8 increment.

**The Chair:**

I think you make my point and the Administration's point. They stated at the meeting when we discussed the budget, and at the last Committee Meeting, that they sent thousands of these back every week because the people, they'll hold them for a number of days and say, "Oh, I'll beat the system and I'll postdate this check and I'll send this in as a \$3 fee."

**Mr. Ferlo:**

I'm for eliminating the discount period.

**The Chair:**

Right. And I'm saying, that's the reason; that's the cost. Thousands of checks going back out in the mail, 25 cent stamps.

**Michelle Madoff:**

Is it in order, Mr. President, to amend my colleague's bill to make it \$9 instead of \$8?

**The Chair:**

No. The only amendment that is in order now and will be in order all day is his amendment because it's in writing.

Now we're going to vote on the amendment. All in favor of amending this bill as Mr. Ferlo suggested from \$10 to \$8 will signify by saying aye.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. DePasquale Mr. Pollock  
Mr. Ferlo

AYES 3 NOES 4

**VOTING NO:**

Mr. Coyne Mr. Wagner  
Michelle Madoff Mr. Woods  
(Pres't)

And a majority of the votes of Council not being in the

affirmative, the motion was defeated.

**Mr. Ferlo:**

I just want to say I'm voting no on the bill. I think it's wrong.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne Mr. Woods  
Mr. Wagner (Pres't Pro tem)

AYES 3 NOES 4

**VOTING NO:**

Mr. DePasquale Michelle Madoff  
Mr. Ferlo Mr. Pollock

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**The Chair:**

I don't think you all realize what you have done.

**Mr. Ferlo:**

Point of Procedure.

**The Chair:**

No, the vote is over. There's no more discussion on it and I'm sorry for making a remark myself.

Mr. Ferlo:

Point of Order.

The Chair:

There's no Point of Order.  
Nobody is out of order.

Mr. Ferlo:

Point of Special Consideration.

The Chair:

No Point of Special  
Consideration.

Mr. Ferlo:

Point of Personal Privilege.

The Chair:

Nothing.

Mr. Ferlo:

Motion for reconsideration on  
the amendment. If the majority of  
Councilmembers do not want to  
eliminate the discount period but  
don't like the \$10, why wouldn't you  
then support --

Mr. Pollock:

Ben, we have big problems.  
That's a half million dollars.

The Chair:

I understand that. That's why  
I made the remark. The people here  
do not realize what they have done.

Mr. Pollock:

Point of Order. This came up  
with a negative recommendation so

the handwriting was on the wall. We  
could have foreseen this and I made  
that comment at the table on  
Wednesday. I said, if this doesn't  
pass --

The Chair:

I agree with you, Mr. Pollock,  
and I'm not trying to rule you out  
of order, but we're not going to  
discuss it anymore. If this Council  
wants to act, in my opinion, in an  
irresponsible manner, that's exactly  
what you have done.

Mr. DePasquale:

We do have the prerogative to  
change our vote one time.

The Chair:

Right. Do you want to change  
you vote before we move on to  
another? We're not going to discuss  
this but if you want to change your  
vote before we move on to another  
subject, you may do that. We'll  
have another roll call vote.

Mr. Pollock:

Point of Order. Can we make a  
motion to recommit that bill and  
discuss it again?

The Chair:

No. You can reconsider your  
vote on this issue and that is it.  
The amendment failed because we went  
on to the regular vote. We're not  
going to discuss this any longer.  
We'll have another roll call vote.

Is there any discussion on the  
bill?

And on the question, "Shall the



bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                |            |
|----------------|------------|
| Mr. Coyne      | Mr. Wagner |
| Mr. DePasquale | Mr. Woods  |
|                | (Pres't)   |

AYES 4 NOES 3

VOTING NO:

|                 |             |
|-----------------|-------------|
| Mr. Ferlo       | Mr. Pollock |
| Michelle Madoff |             |

And there not being five votes of Council in the affirmative, the bill was tabled.

Also, with an affirmative recommendation,

Bill No. 1658

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Chapters 523 and 525 by setting fees for release of immobilized vehicles."

Which was read.

Also,

Bill No. 1659

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the fee schedule to be applied to each classification."

Which was read.

Mr. Pollock:

On Wednesday, I made a series of motions regarding some of these fees. I would hope that in light of the fact that we're now half a million dollars out of whack, out of budget, if the bills as proposed pass, I would hope that we could recommit these bills and look at them to see if they can be raised in a very reasonable, modest amount so that we can try to make some dent in that half million dollars that we're out of budget. Perhaps our budget staff can work with the Public Safety Department and come up with some higher fees. I think some of the ones like the booting fee and some of the other ones could be raised even more to try and make some --

The Chair:

If you want to make a motion to recommit, then make a motion to recommit.

Mr. Pollock:

Motion to recommit.

Michelle Madoff seconded the motion.

Mr. Wagner:

Mr. President and members of Council, I would highly advise not to recommit these bills. I think we should move forward on them if there is support on Council for the moderate fee increases that have been suggested.

The reason why I make that suggestion is, a portion of these fee increases are substantial as they relate to the budget and do not relate to each other. They stand on

their own and should not be considered as being increased if another fee increase failed. Consequently, I think as part of the budgetary process and the importance of balancing the budget, which is critical, if we recommit these bills and these bills do not pass, we will be further in the hole in terms of balancing the budget. Consequently, I would highly recommend that we move on this legislation.

**The Chair:**

I'm going to have a prerogative here. Mr. Pollock, we are right at the beginning on the other bills. The bill was tabled because it's 4-3; so therefore, what I would ask you to do, if you would, is withdraw your motion to recommit and we'll take these bills as they are and perhaps next Wednesday we can get enough Councilmembers and all of us will come to our senses and something constructive will come out of Wednesday's meeting on the ticket bill. That will be tabled and --

**Michelle Madoff:**

Which bill are we talking about? Are we talking about 1659 or the one --

**The Chair:**

The bill that was defeated is tabled so we can untable that bill on Wednesday.

**Mr. Pollock:**

I'll be happy to do that but don't you think if we're going to talk about the ticket bill that we should talk about them all together?

**The Chair:**

That's different legislation.

**Mr. Pollock:**

But it's making up the lost half million dollars is what I'm saying.

**The Chair:**

I think we can handle it. Would you please do that?

**Mr. Pollock:**

I withdraw my motion to recommit.

**Mr. Ferlo:**

Which bill are we talking about?

**The Chair:**

All of them. Now, discussion on those bills, other than Bill 1657. That bill is tabled because it was 4-3. We can untable it Wednesday with five votes.

**Michelle Madoff:**

On Bill 1659, I think it would be far more equitable to raise fees to a few people where it's not going to effect them in any substantive manner over the year to do business in the City, it's a tax write-off, than to penalize people going to \$10 who put money in the meter and they come out a little late. I think that this is where, if we're going to raise the dollars, it should be addressed. And it's very difficult to talk about one bill without the other because the fact that there is a tremendous burden on

administrative cost and administrative nightmare and the discounts, that, as Mr. Ferlo has pointed out, would no longer be a cost to the City so that \$8 is not unreasonable and \$9 would be better.

Mr. Coyne:

That's on 1657.

Michelle Madoff:

What I'm saying is that 1659 is tied in to the other bills --

The Chair:

We're going to discuss every other bill other than 1657. Now I'm going to hold everyone to that. You're absolutely right, Mr. Coyne.

Mr. Ferlo:

Again, I stress the point that each bill is independent of the other. Unless all of these are revenue generators, which I don't think is the case, each one stands alone based on the reasonableness of the fees and/or fines associated with the activity. Somehow there's got to be a relationship between the Administrative expenses of enforcement and implementation and whatever the fee or fine is.

Mr. Coyne:

Just a comment on the bills as a whole. I feel that anyone who is going to vote against them because an amendment wouldn't pass is really cutting off his nose to spite his face. These figures have been presented by the budget staff, were worked on by the Administration for some time, and I think it's very, very unrealistic on our part and

very irresponsible, as you said, to go against these right now. I would urge all my colleagues to vote yes on these bills.

The Chair:

I echo your sentiments.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Wagner       |
| Mr. Ferlo       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 5 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1811

Report of the Committee on Engineering and Construction for December 14, 1988 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1728

A Resolution entitled, "Resolution

amending Resolution No. 532, effective July 18, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of No. 5 Police/No. 8 Fire Station; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$138,168.84 from \$1,063,000.00 to \$1,201,168.84."

Which was read.

Mr. Ferlo:

I'm abstaining on Bill 1728 and to briefly explain my abstention on the increased amount of money in relation to the No. 5/No. 8 Fire Station, I think it's too much money. I think we should look at the possibility of rebidding it because of the increased costs.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
| Mr. Pollock     | (Pres't Pro tem) |

AYES 5 NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1729

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled: 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing EC 88-21 by \$220,000.00, by increasing EC 88-70 by \$137,000.00 and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1730

A Resolution entitled, "Resolution further amending Resolution No. 274, effective March 29, 1985, as amended by Resolution No. 390, effective May 13, 1986, as amended by Resolution No. 466, effective June 24, 1988, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$25,000.00 from \$90,000.00 to \$115,000.00."

Which was read.

Also,

Bill No. 1731

A Resolution entitled, "Resolution

further amending Resolution No. 269, effective April 12, 1988 as amended by Resolution No. 533 effective July 18, 1988 entitled: 'Providing for the acquisition or taking of property in the 27th Ward of the City of Pittsburgh owned by Anthony J. Pena and Rose Marie Pena, his wife for the rehabilitation of the Ohio River Boulevard, Verner Avenue and Eckert Street Bridges and authorizing acquisition and the payment of just compensation, and necessary and incidental acquisition and relocating cost related thereto,' by further amending the title and description set forth therein."

Which was read.

Also,

Bill No. 1732

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Melwood Avenue Reconstruction - Phase B (Bloomfield Bridge); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1733

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to Retaining Wall No. 12 of the Bloomfield Bridge; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                  |             |
|------------------|-------------|
| Mr. Coyne        | Mr. Pollock |
| Mr. Ferlo        | Mr. Wagner  |
| Michelle Madoff  | Mr. Woods   |
| (Pres't Pro tem) |             |

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1734

A Resolution entitled, "Resolution amending Resolution No. 706, effective August 29, 1988, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of the Melancthon Street Pedestrian Bridge; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$140,000.00 from \$100,000.00 to \$240,000.00."

Which was read.

Michelle Madoff:

On Bill 1734, I have a notice of a petition circulator, Mr. Earl B. Jones, Sr., and a note from a Carol Rittenour, Hazelwood Bakery. Essentially, they say that they've

talked to 154 people and only 4 people are for repairing the bridge. They're saying that we could use the money for better use to help the community, not put a bridge in that isn't necessary. Since I am not versed on this subject, I would like to recommit that bill.

**The Chair:**

Is there a second for recommitment? No second, the motion dies.

**Mr. Ferlo:**

My question to you, Mr. President, had to do with a petition. Mr. Coyne has told me that there was a public hearing way back in January, very early in the year, on this expenditure. Are we legally required, Mr. Perry, to have a second public hearing if additional legislation comes in increasing the amount?

**The Chair:**

No.

**Mr. Ferlo:**

Okay. Thank you.

**Michelle Madoff:**

I'll abstain because I don't know enough about the reason.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

|             |                  |
|-------------|------------------|
| Mr. Coyne   | Mr. Wagner       |
| Mr. Ferlo   | Mr. Woods        |
| Mr. Pollock | (Pres't Pro tem) |

**AYES 5 NOES none**

**(MICHELLE MADOFF ABSTAINING)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### **MOTIONS AND RESOLUTIONS**

**Mr. Wagner:**

Mr. President, I move that the Effective Date on all bills passed today shall be December 31, 1988, with the exception of the following bills which shall be January 1, 1989: Bill Nos. 1610, 1621, 1787, 1788, 1673, 1691, 1692, 1693, 1656, 1658 and 1659.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Wagner** moved to approve the Minutes of Monday, December 5, 1988.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Wagner** moved to excuse Mr. Lyons for absence from the meeting.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

**Mr. Wagner:**

I move to recess this meeting and meet again Thursday, December 22, 1988 immediately following the Standing Committee Meeting scheduled for 10:00 a.m.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council recessed.

Pittsburgh, PA  
Thursday, December 22, 1988

And the hour of 10:00 a.m. having arrived and the time of recess having expired, Council reconvened and there were present:

**PRESENT:**

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

**ABSENT:**

**Mr. DePasquale**

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

**Mr. Coyne:**

I think we should like to observe a moment of silence for the families of those who were killed in a plane crash yesterday on the Pan Am jet.

**The Chair:**

Thank you.

**REPORTS OF COMMITTEES**

**Mr. Wagner** presented

Bill No. 1814

Report of the Committee on Finance for December 22, 1988 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1682

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1989."

Which was read.

**Mr. Pollock:**

On Bills 1682 and 1683, I have a motion to amend which I will submit. This is an amendment to the Office of the City Controller. There's two separate amendments; they're both in writing and I'll discuss them separately.

The first one is the addition of the -- now it's a CPA as a result of Mr. Ferlo's change. It's an increase in the budget of \$42,859. I supported the change to make it a CPA but I think what I have to do is look at exactly what is occurring here.

This was a request of the Controller to have this position added because the independent auditor said that the position was needed. Fine. I go along with that. But to not reduce the salary allowance, to make up for that is really condoning poor hiring and ineptitude and/or mismanagement. To take a report and say that "this independent auditor said we need this position", and leave it at that, is really not going the whole way. What the report said, the audit said was that out of one hundred some employees, there's no one that can do the job. To simply take a position and add it on and not look at what is already there is really being irresponsible.

So, what I'm saying is, fine, we need the position but let's charge the vacancy allowance, which is, of course, we all know, the amount of money available for filling positions during the year on an as needed basis, and make it a wash. I think that's very, very reasonable. Mr. Ferlo has always tried to make any increase in the budget to be neutral and I think we have to do that here. This is a very, very fair, very reasonable, and I think a very appropriate change in the Controller's budget.

Michelle Madoff seconded the motion.

#### The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### Ayes:

Michelle Madoff Mr. Pollock

AYES 2 NOES 4

#### VOTING NO:

Mr. Ferlo Mr. Wagner  
Mr. Lyons Mr. Woods  
(Pres't Pro tem)

(MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was defeated.

Also,

Bill No. 1683

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1989."

Which was read.

Mr. Pollock:

My second amendment is to go back to the Mayor's recommendation for the vacancy allowance in the Controller's Office which would be to decrease the proposed change by the \$69,442 that Council added on.



I don't understand why Council added this close to \$70,000 in. These are for as-needed positions that can be filled with anybody, anytime during the year, for any purpose. I think it's irresponsible for us to add positions in a manner that the Controller can fill indiscriminately, at his discretion. I just think it's irresponsible and I would hope that Council would go back to the more reasonable amount.

**Michelle Madoff:**

I second the motion. Two years ago I think I echoed the sentiments of this Council in saying that there should be proper accounting services available to the Controller. Two years have gone by and he has not hired those; now he wants more money in order to do the job. His budget is well over \$2 million and I think with a \$2 million budget he has the money to not only hire one certified accountant but perhaps two or three and we would not have the Peat Marwick fiasco. So, I support Mark Pollock in his position.

**Mr. Coyne:**

Mr. President, I'm abstaining again. I really don't understand the basic purpose or the idea behind this.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Michelle Madoff Mr. Pollock

AYES 2 NOES 4

**VOTING NO:**

Mr. Ferlo Mr. Wagner  
Mr. Lyons Mr. Woods  
(Pres't Pro tem)

(MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was defeated.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne Michelle Madoff  
Mr. Ferlo Mr. Wagner  
Mr. Lyons Mr. Woods  
(Pres't Pro tem)

AYES 6 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1684

A Resolution entitled, "Resolution adopting and approving the 1989

Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program."

Which was read.

Also,

Bill No. 1802

A Resolution entitled, "Resolution providing for the transfer of Eleven Thousand (\$11,000.00) Dollars from Code Account 57-1, Index Code 005710, Retirement Severance Pay-Sick Leave to Code Account 30, Index Code 003004, Refunds-All Other Taxes."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1803

A Resolution entitled, "Resolution approving the Allegheny County Sanitary Authority's resolution reapportioning the representation of the City of Pittsburgh and Allegheny County on the Authority's Board. This resolution allows the County and the City to pick three Board members each and the seventh member will be selected by the County and City jointly." --- (SPONSORED BY MR. WOODS)

Which was read.

Also,

Bill No. 1804

An Ordinance entitled, "An Ordinance amending Section 1 of Ordinance No. 40, approved February 15, 1955, entitled, "An Ordinance signifying the desire of the City of Pittsburgh to become a member of the Allegheny County Sanitary Authority; authorizing the publication of the required Notice and filing with the Secretary of the Commonwealth of the required Application, pursuant to the Municipality Authorities Act of 1945, as amended; and appointing the City's three members of the Board of such authority;" by providing that three members be appointed by the City, three members appointed by the County, and one member appointed jointly by the City and County of the Board of such authority." --- (SPONSORED BY MR. WOODS)

Which was read.

Michelle Madoff:

On the Alcosan bills, it's better than it was, but not good enough.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                  |             |
|------------------|-------------|
| Mr. Coyne        | Mr. Pollock |
| Mr. Ferlo        | Mr. Wagner  |
| Mr. Lyons        | Mr. Woods   |
| (Pres't Pro tem) |             |

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Lyons presented

Bill No. 1815

Report of the Committee on Planning, Housing and Redevelopment for December 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1805

A Resolution entitled, "Resolution authorizing and directing the Director of City Planning to prepare necessary legislation to transfer \$200,000.00 of prior years unspent CDBG funds into Code Account CC89-03, Pittsburgh Community Services,

Inc., Hunger Program." ---  
(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne for Mr. DePasquale presented

Bill No. 1816

Report of the Committee on Public Safety for December 22, 1988 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1657

An Ordinance entitled, "An Ordinance amending Title Five - Traffic, Article VII - Parking, Chapters 541

- General Parking Regulations, Chapter 543 - Parking Meters and Chapter 545.- Off-Street Parking by increasing certain fines and eliminating discount periods."

Which was read.

Mr. Pollock:

One quick question. I can assume that with the calculation of the \$9 figure which is obviously more than what it is and less than what the Administration requested, that we balanced the budget for that? Did you calculate what the revenue was at the \$9 figure instead of the \$10? The \$10 figure was a half million dollars; the \$9 figure obviously comes in somewhere less. We were able to balance that?

The Chair:

It has to be adjusted, Mr. Pollock, but we figure, and I did it and I'm not going to blame anybody else, it's about \$50,000 less than what the Mayor proposed, approximately.

Mr. Pollock:

Okay.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1817

Report of the Committee on Engineering and Construction for December 22, 1988 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1801

A Resolution entitled, "Resolution amending Resolution No. 1094, 1094, effective January 1, 1988, as amended, entitled: "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by increasing Line Item EC 88-28 by \$550,000.00 and by adjusting the Summary Totals."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Mr. Lyons       | Mr. Woods        |
| Michelle Madoff | (Pres't Pro tem) |

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

We've passed the budget for the year 1989. I think Council has worked cooperatively with the budget staff and with our Finance Chairman and at this time I would like to ask our Finance Chairman, Mr. Wagner, if he would please come up to the podium and say a few words.

Mr. Wagner:

Thank you, Mr. President, and members of Council. It is a pleasure and an honor to represent the City of Pittsburgh's 1989 budget. I believe it is a budget we all can and should be proud of. The 1989 budget is a balanced budget that accomplishes many things, some of which I would like to highlight very briefly.

Number one, the top priority of Council, Mayor Masloff and the citizens of Pittsburgh was to reduce the wage tax. On Monday, December 19th, this was accomplished when

Council voted to reduce the City of Pittsburgh's portion of the wage tax by one-half of one percent; from 2.125 percent to 1.625 percent. This reduction will result in the savings of \$100 for each \$20,000 earned by a City resident. The most significant piece of legislation, in my opinion, to pass through this Council in the last ten years.

Unfortunately, the School Board did not reduce their portion of the wage tax when they voted on their budget yesterday, which will remain at 1.875 percent, or one-fourth of one percent higher than the City of Pittsburgh's share of the wage tax.

Number two, a significant item in the 1989 budget, City Council budget, in front of us is that it is \$34,436 less than the Mayor's proposed budget. A significant accomplishment that I have not seen since I've been on Council.

Number three, the 1989 budget will reflect increased funding for the hungry. This was accomplished by the urging of all of you and the citizens of the City of Pittsburgh. I compliment each and every one of you that have pushed for that increased funding.

Number four, the amounts of grants and donations reflected in the 1989 budget are significantly less than in previous years. When I say increases, I mean increases above and beyond the Mayor's budget proposal. True, Council made some increases, but nothing compared to previous years. And, in fact, for the first time ever, I saw Council reduce certain grants and donations recommended by the Administration.

Number five, the Capital Budget

will more accurately reflect projects anticipated to be done in 1989 by not rolling over previously authorized projects not yet completed. We are giving the citizens of the City of Pittsburgh a budget that better accurately predicts the economic development projects that will be done next year.

Items recommended by Council that must be considered in 1989 are, I believe, as follows, and this is simply a brief summary of them:

Number one, we need to initiate a more aggressive tax collection system to collect unpaid back taxes. This represents, in our budget staff's opinion, in the Finance Department's opinion, and all of your opinions, tens of millions of dollars that are outstanding. If we can accomplish that in 1989, I feel that we can further reduce the wage tax in 1990. And it should be noted, it we can accomplish that, that would even give the School Board additional revenues of unpaid taxes.

Number two, a continued emphasis must be placed on reducing the number of work related injuries and ultimately the cost associated with those injuries. There have been tremendous accomplishments, I believe, in 1988 in the area of safety and accident prevention within many City departments. We all know that annual figure represents about \$18 million. This is the first year ever I've seen a stabilization in the number of accidents and, in fact, a slight reduction. A significant item that must continue to occur if we are to reduce the cost and the human suffering associated with work

related injuries.

Number three, recommended by several Councilmembers, a committee needs to be formed on solid waste, or refuse collection in 1989. And we need to have frequent meetings with the Administration in regard to that. We will be required under state law in two years to go into a new system of refuse collection. A committee must be formed now so that we can anticipate those changes in the future.

Number four, I was very pleased and honored to see the marketing coordinator position put in the budget. It's been in the budget in the past; however, the position has never been funded. There are positive signals coming from the Administration that yes, the Mayor will fill that position in the Mayor's Office. That person will act to promote the City of Pittsburgh and to work with the various organizations outside of the City of Pittsburgh such as the Convention and Visitors Bureau, the Chamber of Commerce, the Economic Development Area, the URA and others, to promote this City.

Number five, I think a goal must be improve cooperation and communication with the School Board. We need to work closer with the School Board, we need to meet with the School Board, and we need to achieve some common goals, most importantly, a further reduction in the wage tax.

Number six, the initiation of tax reform looking towards 1991. Tax reform is a critical item and it's something that we have to pursue in the future.

I would be remiss if I did not acknowledge the excellent input and guidance that was received by me and all of you by our budget staff sitting here today and the City Clerk's staff. Without their guidance, we could not have this balanced budget; we could not have a budget that is less than the Mayor's proposed budget.

I didn't realize, even though I've been on Council five years, how hard all of these people work during the last couple months of the year. I have left City Council Chambers in the evening at 12:00 and 12:30 and have left them here. They work extremely hard and they should be commended for their efforts.

As I have said previously during our budget deliberations, this is the tightest budget I have seen in the five years I have served on Council. At the same time, I believe it is a healthy budget that, if managed properly, can see us through 1989 and to look forward to 1990.

Thank you very much.

**The Chair:**

Thank you, Mr. Wagner.

Now, I would like to have a motion that the effective date of these following bills that I will read will take effect December 31, 1988. Bills No. 1805, 1801, 1763, 1802, 1803, 1804, 1657, 1682, 1683 and 1684.

**Mr. Wagner:**

So moved.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**The Chair:**

Before we adjourn, Mr. Ferlo and I and a number of us discussed something about having a little party here for the citizens of this City. It's his idea. On our first day back, maybe at noon, and Council would pay for it -- Mr. Ferlo, I'll take a motion from you.

**Mr. Ferlo:**

Mr. President, I make a motion that City Council, together with the Mayor, that we request the Mayor to participate, sponsor a bon voyage to the four percent wage tax and that we ask each Councilmember to kick in a case of champagne and we invite the City of Pittsburgh down to the lobby the first day back in January.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Wagner** moved to excuse Mr. DePasquale for absence from the meeting.

**Mr. Lyons** seconded the motion.

Which motion prevailed.

**Mr. Lyons:**

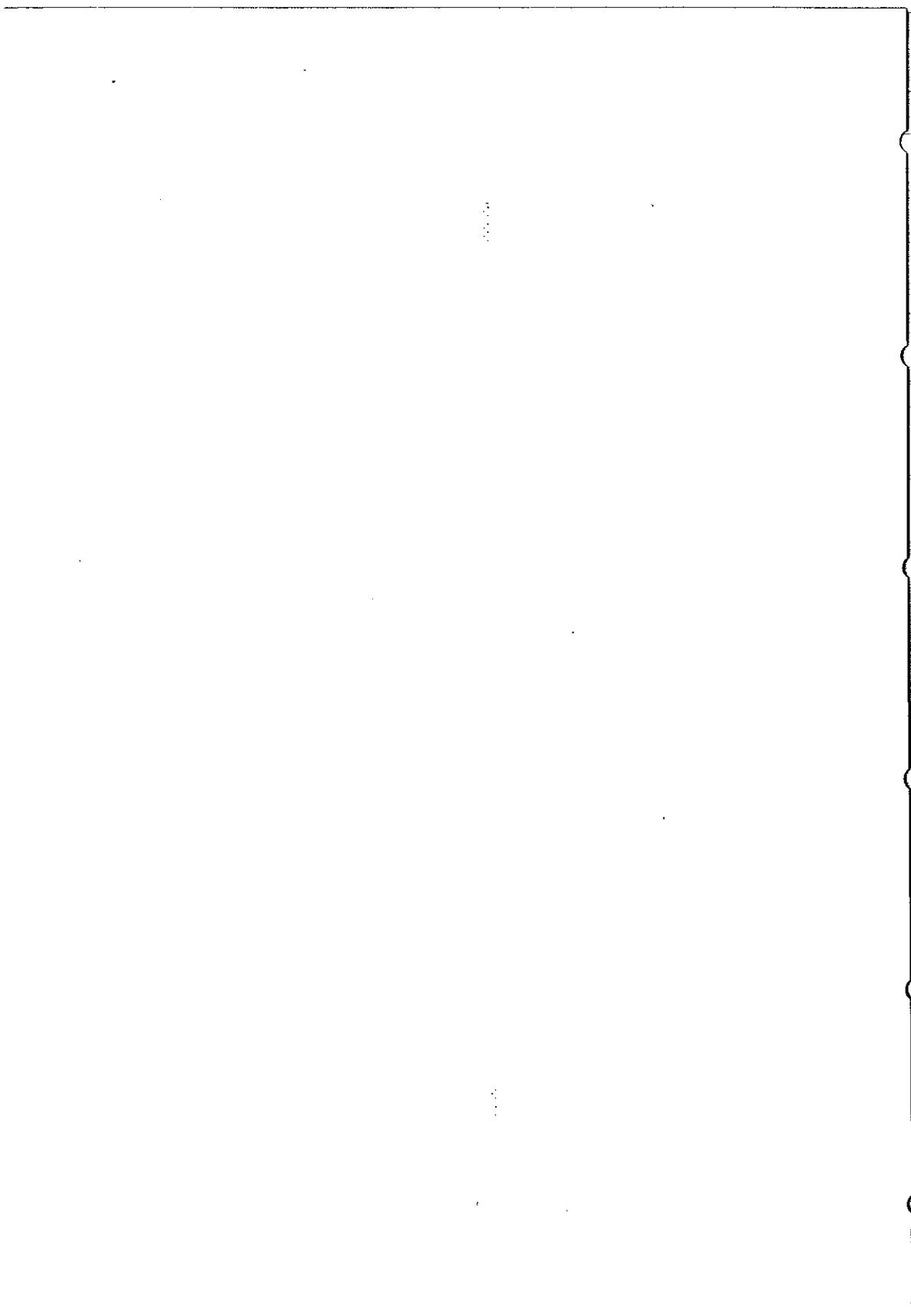
I move to adjourn this meeting and meet again December 27, 1988 at 2:00 p.m.

**Mr. Ferlo** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Lyons**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXXII

Tuesday, December 27, 1988

No. 50

### Municipal Record

#### ONE—HUNDRED TWENTY-FIFTH COUNCIL

BEN WOODS ..... President Pro-Tem

MICHAEL PERRY ..... City Clerk

LINDA M. JOHNSON .. Asst. City Clerk

Pittsburgh, PA

Tuesday, December 27, 1988

#### PRESENT:

Mr. Coyne                      Mr. Pollock  
Mr. DePasquale              Mr. Wagner  
Mr. Ferlo                      Mr. Woods  
Michelle Madoff              (Pres't Pro tem)

#### ABSENT:

Mr. Lyons

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

We have two bills that must be passed today. I'll present them; it's so the people can get paid by the end of the year.

#### PRESENTATIONS

##### The Chair presented

No. 1818                      Resolution  
transferring the sum of \$20,000 from Code Account 1074, Salaries and Wages, Department of Law, to Code Account 1420-2, Salaries, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 1819                      Resolution  
transferring \$5,000 from Code Account 1074, Salaries and Wages, to Code Account 1022, Salaries, Regular Employees.

Mr. Wagner moved to approve the resolutions.

Mr. Ferlo seconded the motion.

##### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

##### Ayes:

Mr. Coyne                      Mr. Pollock  
Mr. DePasquale              Mr. Wagner  
Mr. Ferlo                      Mr. Woods  
Michelle Madoff              (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner moved to excuse Mr. Lyons for absence from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, I move to recess this meeting and meet again on Thursday, December 29, 1988 at 10:30 a.m.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Ferlo

Council recessed.

Pittsburgh, PA  
Thursday, December 29, 1988

And the hour of 10:30 a.m. having arrived, and the time of recess having expired, Council reconvened and there were present:

PRESENT:

|                 |                  |
|-----------------|------------------|
| Mr. Coyne       | Mr. Pollock      |
| Mr. Ferlo       | Mr. Wagner       |
| Michelle Madoff | Mr. Woods        |
|                 | (Pres't Pro tem) |

ABSENT:

Mr. DePasquale  
Mr. Lyons

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### UNFINISHED BUSINESS

The Chair presents

No. 1820 Communication from Mayor Masloff returning with her veto Council Bill No. 1454 entitled, "An Ordinance supplementing and amending Article VII, Chapter 161 of the Pittsburgh Code, by creating a new item (d) 'Pre-Bid Specification'."

Which was read.

(BEGINNING - MAYOR'S VETO LETTER)

December 27, 1988

Honorable President Pro Tem and Members  
City Council  
City of Pittsburgh

RE: Council Bill 1454

Dear Mr. President Pro Tem and Members:

I am vetoing Council Bill 1454 because it decreases the City's ability to rehabilitate and provide facilities to City residents and will also cost construction workers their jobs.

The cost of City construction projects will increase dramatically

as a result of this legislation. The requirements it imposes upon contractors would directly increase a project's cost an estimated 25 to 30 percent. In addition, approximately one-half of the contractors who presently bid on City projects will be unable or will refuse to bid because of those requirements, reducing the number of competitive bidders and increasing each project's cost further. Finally, the City payroll and benefits cost will increase due to the three employees that will have to be added to the Department of Engineering and Construction budget and the employees needed by the Human Relations Commission to enforce the ordinance.

If City construction costs increase between 25 and 30 percent, the number of projects that the City will be able to undertake will be reduced by at least one-third. A recreation facility project like the Leslie Bathhouse in Lawrenceville, which cost the City \$220,000, would increase in cost by \$66,000. A City funded bridge project like the Davis Avenue Bridge would increase from \$800,000 to \$1,080,000. Smaller playground, ballfield and court projects like Eleanor and Arlington in the South Side, McBride in Lincoln Place and Mellon courts in Shadyside when increased by 25 to 30 percent will become too costly to even consider.

The deletion of projects from the City's capital budget because of excessive costs and limited dollars will mean new facilities will not be built, existing ones not renovated, and some will be forced to close. Our residents need these facilities and should not be deprived of them due to this unwise

legislation.

The reduction of City projects will also reduce the number of jobs created by those projects. I have a history of supporting labor issues, but not if the end result is at the expense of City projects, jobs and City residents.

The minority hiring and decent wage concerns this legislation attempts to address are concerns that I share; but, this politically motivated bill will not effectively address these issues.

I am also vetoing this legislation because the City Solicitor, in a detailed and well-reasoned opinion, found the bill, under both state and federal law, to be illegal.

Because the legislation is not in the best interests of either workers or City residents, I urge Council to sustain my veto.

Sincerely yours,

Sophie Masloff  
Mayor

(END OF LETTER)

Mr. Coyne moved to override the veto.

Mr. Ferlo seconded the motion.

Mr. Ferlo:

Mr. Chairman and members of Council, suffice it to say that I'm very disappointed in Mayor Masloff's veto of Council Bill 1454. Her reasons for the veto sound impressive, but where is the substance behind them? She states

that Council Bill 1454 will decrease the City's ability to rehabilitate and provide facilities to City residents and will cost construction workers their jobs. She states that project costs will increase 25 to 30 percent. She states that approximately one-half of the contractors who bid on City projects will refuse to bid because of increased requirement. She also states that the City costs will increase because of increased employees needed to enforce the ordinance.

All of these are great statements but I ask you, Mayor Masloff, where did these statements come from? Where are there any facts to back them up? You state that the cost of City construction projects such as the Leslie Bathhouse and the Davis Avenue Bridge, will increase 20 to 30 percent. Why? Council Bill 1454 does not place higher wage requirements on any project. Period. If prevailing wages are required already for those projects such as the Bathhouse or the Davis Avenue Bridge, then Bill 1454 would not increase those wage rates. If prevailing rates as determined by state and federal regulations are not required, the bill does not apply. Bill 1454 would not increase wage costs; it would merely, properly, enforce laws that are being ignored.

It seems, Mayor, that you are agreeing that state and federal prevailing wage requirements are not presently being enforced on projects where they are mandated. Why else would you be saying that cost would rise so dramatically?

Your veto message seems to be

based on the fact that City costs would rise too steeply. Instead of giving Council substantive examples of this, you instead pick projects out of the air and tell us that the costs would rise. What would cause the Leslie Bathhouse project to rise from \$220,000 to \$286,000? Why would the Davis Avenue Bridge project rise from \$800,000 to \$1,060,000? If it is increased labor costs, I must disagree with you, your Honor. These projects are already supposed to be prevailing wage jobs. If it is not increased labor costs, then what are the increased costs you're referring to? I would argue that the City's treasury will benefit directly from the 25 percent of the City workers working on those projects who will be paying the City's wage tax. And, equally important, companies doing work in the City will be required to pay the business privilege tax and they will not be able to avoid getting out of it.

I ask my colleagues to ask themselves these same questions. Why would City funded projects increase in cost under Bill 1454? Increased labor costs would only occur if contractors who were supposed to be paying prevailing wages were not. And the state and federal governments were not monitoring the contractors closely enough to ascertain that. Bill 1454 would more closely monitor these projects and where, by law, prevailing wages must be paid, they would be.

Is our Mayor saying that she thinks it is okay to let contractors ignore federal and state laws that have been on the books for decades? Apparently so. If that is the case, she is ignoring

Pennsylvania's Prevailing Wage Act which states, and I'll just quote a section of it, "The fiscal officer of the public body, or the Treasurer or other officer of the public body, charged with the custody and disbursement of the funds of the public body must ascertain that the wage rates as determined by the Secretary of Labor in the Commonwealth are paid and that the job classifications are maintained. Otherwise, it is his duty to hold up final payment and to inform the Secretary of the failure by the contractor and/or the subcontractor to comply with the Act."

The State Prevailing Wage Act goes on to state that it is the duty of the Treasurer or other officer charged with the custody and disbursement of public funds applicable to the public work contract under and pursuant to which payment is made to require the contractor and every subcontractor to file a statement.

And it goes on to explain basically that according to this law, the City is mandated to enforce prevailing wages and is mandated to monitor these wages by the filing of weekly forms, which is precisely one of the main sections of Council Bill 1454.

Again, I ask, why, Mayor, are you willing to ignore prevailing wage rates mandated by state and federal law?

The Mayor states that the City will be forced to hire three new employees to monitor Bill 1454. My question to the Mayor is, what are the employees doing now that are monitoring the Mayor's Executive

Order? How many people are presently enforcing minority and women participation? I count at least six professionals already on the City payroll who are currently involved in contract compliance and monitoring. This ordinance suggests minor changes in the type of forms needed to verify compliance with the prevailing wage. Also, is it not prudent, if necessary, to hire employees to enforce a residency requirement that will, in fact, raise revenue for our City?

The Mayor also mentions that she is vetoing the bill because of her Solicitor's opinion. I am not a lawyer and should not comment on the merits, but some points are clearly evident. As any first year law student learns, any lawyer can write an impressive brief on either side of a subject. While the Mayor's Solicitor's opinion is lengthy, it is only one side of the argument. Law is not made on the Third Floor of the City County Building; it is made in these Legislative Chambers and is ultimately deemed to be legal or illegal in the courts of our land. The Congress doesn't clear their legislation with the Attorney General and I find it laughable that we continue to refer legislative matters to a legal aide of the Mayor.

This year I submitted legislation which allows the City to sell asphalt to municipalities and other public entities outside the City of Pittsburgh. A majority of Council, as well as the Administration, supported this bill which became law. This legislation was in response to the need to more fully utilize the capabilities of our multi-million dollar asphalt producing plant, while, at the same

time, generates significant revenue for our City. It was in the City's best interest to pass this law because of the financial benefit and to encourage inter-governmental cooperation. The state's statute governing this action seemed fairly cut and dry and we clearly were within our legal rights. However, we are now involved in a lengthy legal battle with private concerns who feel that the law is on their side. Ultimately, it will be the courts who will decide whose interpretation of the law is correct.

I use this as an example to illustrate the point that a legislative body can't always base our support of meaningful legislation solely on legal opinions and interpretations. The legal briefs filed by opponents of City asphalt sales will surely contain a multitude of case laws supporting their argument. In much the same way, the City Solicitor, who owes his allegiance to our Mayor who stands in opposition to the bill, has told us about case law supporting his opposition to Bill 1454. The Solicitor has not forwarded information to Council regarding the preponderance of case law that supports Bill 1454.

There is another side to the legal issue. First, there is a severability clause in Council Bill 1454 in the event that a court, and not the Mayor's Solicitor, rules that sections are illegal. Having spoken with numerous attorneys, legal researchers and law firm representatives, and members of Council have opinions from at least three different firms locally, I remain steadfast in my comment that the bill is legal. Federal courts

have explicitly recognized that government has broad power to dictate the terms and conditions under which it will do business. The Supreme Court of Pennsylvania has also consistently stated that municipalities may subject contract bidders to requirements provided all bidders are subject to the same requirements. We also have an opinion regarding this issue early in the year from our own Solicitor. A recent line of U.S Supreme Court cases has validated state and local laws regulating who government chooses to do business with. These cases distinguish instances when a governmental unit acts as a market participant as opposed to a regulator of the market finding that the commerce clause of the Constitution does not restrict local government acting as market participants. Most recently, the court approved an executive order by the Mayor of the City of Boston placing residency requirements on City supported construction projects.

In addition to the residency issue, minority and female set asides are being enforced not only at the federal and state level but in hundreds of municipalities in school boards across the United States.

The severability clause in Bill 1454 would safeguard the City if one or more parts of the bill were found to be illegal by a court of law.

I would like to point out that not one major contractor contacted me in opposition to this bill in its final form. The minor increased cost to this City are far outweighed by the benefits that would accrue to Pittsburgh residents and to the City

treasury. Thousands of dollars would be collected in wage taxes that would be paid to City government as a result of the 25 percent residency requirement. Thousands more would be paid in business privilege taxes that are not currently being paid from companies conducting business in the City. Companies who are legally required to pay state and federal prevailing wages will have to live up to their obligation and a mechanism would be in place to monitor their compliance.

I would like to emphasize to Council and to the Mayor that our sister city of Philadelphia has a structure in place to enforce their own prevailing wage law. They have had the responsibility to enforce Philadelphia's prevailing wage law, Municipal Code 17-107, which encompasses more than the state law which was enacted in 1961. Philadelphia recognized the need to add teeth and enforcement to the state law and the director has indicated that their city has benefitted greatly from having their own monitoring mechanism in place.

The veto is a slap in the face to thousands of Pittsburghers who support the bill and who stand to benefit from the legislation's requirement. Females and minorities would finally benefit from City supported construction activity in numbers far more representative of their percentages in the Pittsburgh population base. The bill would address glaring discrimination against minorities and women who seek to assume their legitimate role in the Pittsburgh Renaissance. Working people of our City would directly benefit from their tax dollars because of the ordinance's

residency requirement and would be gainfully employed in far greater numbers making the status of being a City resident more desirable and more promotable.

Because the ordinance covers apprentices working on construction sites, we have the potential benefit of opening up opportunities to Pittsburgh's younger workers, many of whom will not benefit from new technology in services related industries that have changed the labor market in the City of Pittsburgh. Look out in our neighborhoods throughout Pittsburgh and see the number of young workers, both black and white, especially in the black community, who are idle from lack of work and job opportunities that pay wages that could support a family. Opportunities exist in this bill to make a measurable difference in the lives of many of our young people in the City of Pittsburgh.

In conclusion, if the Mayor's veto is upheld, let me challenge Mayor Masloff and her Administration to work on a similar bill. She states that she shares the motives of the bill, decent wages, minority and female hiring, and jobs for Pittsburghers. The goal of this legislation is to make Pittsburgh a better and fairer place to live for all of us and we should all work together to that end.

Ordinance 1454 is fair, it's reasonable, it's prudent, it's legal, and as far as I'm concerned, it's long overdue.

Members of Council, I ask you to join me in overriding the Mayor's veto. Thank you.

Michelle Madoff:

Mr. President and members of Council, I think my record in the ten and a half years that I've served on Council has been consistently pro-labor. That is a matter of record and is documented so anybody that is going "oh, oh", they're probably the same people that are calling and threatening me. I want to continue by saying that I don't appreciate being threatened. I don't think anybody serves the public good that doesn't vote in the best interest of the public.

My initial position on this bill was that I wanted 50 percent City residents and I assumed that we were getting 25 percent just by the luck of the draw. I was appalled to find out that not only weren't we getting 25 percent but we weren't even getting 5 percent on projects like Grant Street, a multi-million dollar project. But I did say that if the bill was found to be illegal that I would not vote for another bill that we'd have to go into court and defend with taxpayers' dollars. And I want to remind Council and the public that may be interested that we are now in court on a number of bills. We have been to court on the issue of self-service gas stations. We are being subpoenaed now, all members of Council, on the ARC House bill, those that were here previously. We are being subpoenaed on the plastic pipe bill; people here know that I voted for that and that's something that's history. I understand that we're also being sued on Mr. Wagner's bill, the regulating of speed of trains. These are all being fought with taxpayers' dollars.

It is unfortunate that since 1983 when I went to court with the help of three members of Council, one was Tom Flaherty and one was Bill Robinson, and we tried to get both a fiscal analyst for Council and legal counsel. We have never been able to fill that role. Even though Council has approved it, we have never been able to get our own legal counsel. So here we sit with a few days between an opinion by our legal counsel saying something is illegal, the City Law Department, and the attorneys for the union saying it's perfectly legal. And we have a 12 page document giving us all the reasons why it's illegal. And we don't have our own legal counsel so that over a period of time that this bill was introduced, and it's been months, we could have in an intelligent manner sat down and not be voting with two different points of view where perhaps we could have come up with a different conclusion.

What I want to conclude on is that we're mixing apples and oranges. I don't think there's a member of this Council that would not support and is not supporting, and if memory serves me well, I've introduced legislation along with other members of Council, that we ensure that City residents have the opportunity to be employed on any City projects, whether it's the Davis Bacon Act or whatever, and we were told by the Law Department that it was illegal. I've been told subsequently by some of the union representatives that these bills already exist in other cities and I believe one of the cities that in this is Camden.

I want to read something if I may. This is from Dan Pellegrini's



opinion that I disagree with. "The justification offered by the City of Camden as to why they allow city residents to be hired is that the City of Camden contends that its ordinance is necessary to counteract grave economic and social ills. Spiraling unemployment, a sharp decline in population and a dramatic reduction in the number of businesses located in the City have eroded property values and depleted the city's tax base."

Well, one could certainly say that about Pittsburgh. We've gone from 700,000 to 350,000 and certainly on that issue, the issue of being able to hire City of Pittsburgh residents, which was my position initially, we need to reactivate the initial legislation.

Mike, will you find my bill and the other bills that were introduced by other members of Council who may not even be here anymore, and let's reintroduce that bill in the coming year. And let us have a letter go to Dan Pellegrini and the Mayor pointing out that Pittsburgh isn't any different than Camden and that we must start giving the jobs to the Pittsburgh residents.

Now, I recall, I don't think any of my colleagues were here, perhaps Ben but I don't even know that he was here, when Mr. Jacoby was in General Services. It was his first week here and he was called by this Council to justify why the minorities, meaning blacks and women, were not getting their fair share of the 15 percent goal that we were aiming towards. He came in, hat in hand, and said, "I want to apologize, I'm new, I didn't know; it is less than one percent." It wasn't 15 percent; it wasn't even 1

percent.

Now, I don't think we correct one wrong with another wrong. Two wrongs don't make a right. I think we must proceed to try to do what we can for this City in a legal, orderly way. And again, I suggest that Camden's justification, their reason for having city employees on projects, it's a very similar one for why Pittsburgh can do the same thing. And I would strongly suggest again that not only will I introduce the bill but I hope my colleagues will support getting 50 percent of Pittsburgh residents on the jobs. I don't know that the unions are going to like that. I hope that they really meant what they said when they said that they would support 50 percent because I will find out when the bill comes in not attached to the wage bill. And I hope that we will have the unions putting the same kind of effort into seeing that minorities and women have their fair share of employment.

And, bottom line, if there's a Davis Bacon Act that is in effect and it is the law of the land, why attack a body that would have the burden of the enforcement? Why not go to the state and the federal government who have passed these laws and demand that you get more people to inspect and to enforce the bills. That would be the logical place to begin.

Thank you.

Mr. Wagner:

Mr. President and members of Council, I won't take long. In regard to this bill, going back to the time it was in Committee, I voted in favor of the bill also with

amendments. It came up for final vote and I abstained on the vote. At that time, actually, prior to that time, I requested a legal opinion and we have received that legal opinion and additional information provided by the Mayor as part of her veto of this legislation. Her letter briefly, and when I say briefly I mean briefly, describes the reasoning behind the Administration's veto which basically is the substantial increase that they predict in costs of projects and there's one statement relating to the legal opinion.

I believe that there are some increases in costs; I cannot factually agree with the numbers in that letter, and I think they would have to be broken up based on sections of this legislation. The reason why I state that is that all of you, I know, have read the legislation and I have also, several times, to try and understand it in its entirety. It is an extremely complex piece of legislation and anyone that hasn't read it in its entirety should. It relates to several significant items as they relate to contracts. To name a few, prevailing wage which is the most talked about, minority participation, residency requirement. And in addition to that, some other aspects which are normally included in collective bargaining agreements such as pension plans, medical plans, grievance procedures, and even termination of the projects.

I mention that because in reading the legal opinion, and, incidentally, we actually received four legal opinions, three have been provided by labor groups and one by

our Solicitor. The one by our Solicitor is a very in-depth legal opinion, the most in-depth I've seen since I've been on Council, and the three by the labor attorneys are rather brief. Obviously, the one by the Solicitor supports the Mayor's opinion and the other three support labor's opinion.

I mention that because the legislation being as detailed as it is and as in-depth as it is, I thought, number one, and I had a concern from the beginning that a piece of legislation of this type could even be this complex because somewhere in the Charter it talks about a piece of legislation should be brief and to the point and cover one subject. I believe you could say this covers one subject because it covers contracts, but includes a whole lot of things in addition to simply contracts.

I mention that because the legal opinion didn't relate to that, but that's okay. I read that legal opinion. There's portions of it I agree with and there's portions of it I disagree with because the Solicitor did not clearly state that there was case law in some instances to support his positions. In other areas he did. He said that, as a matter of fact, in regard to a couple items that he anticipates that there will be case law to support his opinion in the future.

There are portions of this bill that I agree with that are very sound and I believe are necessary. I believe the portion pertaining to prevailing wage asking the City to be the enforcement arm if state and federal government is not doing their job is legitimate, quite frankly. And we all know here on

this Council that the Administration has had difficulty in meeting certain minority requirements on contracts. And to mandate that through legislation, if it is legally permissible, I think it legitimate also. The residency portion of it is something that, I think, school is still out on that, whether or not truly, legally, we can do that. But I don't think there's any member of this Council that would disagree with that.

Some portions of the legislation that I have serious questions about relate to whether or not the City, by law, can require a non-union contractor to provide a pension plan, a medical plan, a grievance procedure, and even go beyond state law or the Secretary of Labor by terminating a contract. They are portions of the legislation that I think have to be looked at seriously.

One other portion, even though through collective bargaining agreements unions rightfully have certain job classifications and people work within those jobs and those jobs only. I'm not so sure that legally we can require that also for a non-union contractor.

So, there are a lot of areas in this legislation, I think, that need to be looked at in greater detail. I've mentioned a few of them; however, if this legislation comes back in another form, I think certain portions of it are very healthy and this Council should find a way to legislate them, particularly if they're not being met today without legislation. They relate to the items I talked about, prevailing wage, residency requirement, and minority

participation.

In summary, that's my opinion on the bill. I think the intent of the bill is good and that represents the majority of the bill. But there are portions of the bill that there are some legal questions and probably the best example of that, and I've never seen it in a piece of legislation and maybe Mr. Ferlo would like to comment on it, is the last paragraph, paragraph six. "In the event this ordinance cannot take effect in its entirety because of this judgment of any court of competent jurisdiction holding invalid any provision, the remaining provisions of the ordinance shall be given full force and effect as completely as if the provision held invalid were not included." So, in other words, if a certain provision of the ordinance is not legal, it will be struck out of the ordinance and the rest of the ordinance will be legal or will be held valid. I haven't seen that in an ordinance here; however, I think what it's inferring is that there may be questions in certain portions of the ordinance, portions that I have mentioned.

So, in summary, I think the bill's intent is good. There are some questions about certain portions of it.

Mr. Pollock:

To override the Mayor's veto, it takes six votes and I don't think there are six votes here to do that. So, accordingly, I would ask that the Mayor create a commission or a task force to study the issue of economic justice in the City of Pittsburgh. And this commission or task force should include

representatives of the labor community, the business community, the academic community, and other fields, and should determine if the claims of the proponents of this legislation before us today are accurate. If indeed they are, this body should make recommendations to City government, to the Mayor, as to how the City can address this issue and alleviate the problem. Is there a way that City government can legally and appropriately attempt to solve any injustices in the workplace and still protect the interest of the City taxpayers? I don't know the answer to that. If there is an answer, maybe a body created by the Mayor can determine what that answer is. I call upon the Mayor to create a representative commission or task force as expeditiously as possible.

Thank you.

Mr. Coyne:

I think any statements questioning the need for this bill are completely ludicrous. If Councilmembers remember during the budget proceedings we saw food pantry after food pantry coming in front of us requesting funds. These funds wouldn't be necessary if working people were making a legitimate wage and that our fat cat contractors weren't able to carry home a healthy check to take care of themselves and their families.

I also believe that arguments used that there are certain legal questions to this bill are equally as ludicrous because every bill that Council passes has different legal positions. As, as Mr. Ferlo so eloquently stated, you can get an attorney to say anything you want if

he works for you.

Therefore, I believe if this Council honestly has the interest of the working people at heart, they've got to vote to override this veto.

And I agree with Mr. Pollock, I don't think we have the votes here to override the veto, but I would like publicly to state that this bill is not going to go away. With Mr. Ferlo and myself and hopefully other members of Council, yourself, Mr. Woods, we'll keep working at this bill and make sure that there's economic justice in the City of Pittsburgh.

Thank you.

The Chair:

Everyone spoke and now I'm going to say something and then we're going to vote.

I think this is a piece of legislation that both sides, union labor and non-union labor, worked on this bill. They both would benefit from this bill. It's one of the very few times that I've seen both people get together from both sides.

I am very, very disappointed in its veto, but, as Mr. Coyne says, it's not going to go away. And as long as I'm standing up here it's not going to go away; it's going to come back the first of next year. I guarantee that.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

|           |                  |
|-----------|------------------|
| Mr. Coyne | Mr. Wagner       |
| Mr. Ferlo | Mr. Woods        |
|           | (Pres't Pro tem) |

AYES 4 NOES 2

(MICHELLE MADOFF AND MR. POLLOCK  
VOTING NO)

And there not being two-thirds  
of the votes of Council in the  
affirmative, the veto was sustained.

Mr. Wagner moved to excuse Mr.  
DePasquale and Mr. Lyons for absence  
from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Wagner

Council adjourned.

1. The first part of the document is a list of names and addresses of the members of the committee.